



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2018

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE Mrs.JUSTICE R.THARANI

Writ Petition (MD).No.23093 of 2017

M.P.Vinayagam

... Petitioner

Vs.

1. The District Collector,
Office of the Collectorate,
Tirunelveli District.
2. The Assistant Director,
Town Panchayat,
NGO Colony,
Tirunelveli.
3. The Executive Officer,
Selection Grade Panchayat,
Kallidaikurichi,
Tirunelveli District.

4.K.N.Arumugam

... Respondents

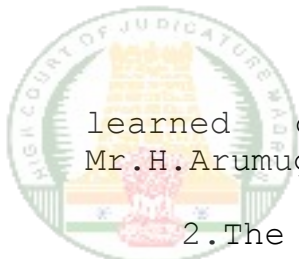
Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to take appropriate action against the illegal and unauthorised construction in No.212, Karanthaidaikudi Street, Kallidaikurichi, Tirunelveli District put up by the fourth respondent in violation of the approved plan.

For Petitioner	: Mr.V.Sasikumar
For Respondents 1 and 2	: Mr.D.Muruganantham
	Additional Government Pleader
For Respondent No.3	: Mr.M.Rajarajan
For Respondent No.4	: Mr.H.Arumugam

ORDER

(Order of the Court was made by T.S.SIVAGNANAM, J)

Heard, Mr.V.Sasikumar, learned counsel appearing for the petitioner, Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents 1 and 2, Mr.M.Rajarajan,



learned counsel appearing for the third respondent and Mr.H.Arumugam, learned counsel appearing for the fourth respondent.

2.The petitioner has filed the writ petition alleging that the fourth respondent encroached certain extent of his property by putting an electric pole and drainage line being passed through the petitioner's property. There is one more allegation that there is an encroachment of the common pathway.

3.The learned counsel for the petitioner and the learned counsel for the fourth respondent agreed that the parties are discussing, a settlement is being arrived at and shortly a memorandum will be entered into between the parties and such memorandum should be recorded in this writ petition. However, while considering the facts of the case, it appears to be a dispute between the two private parties which may not be required to be recorded in the writ petition. Considering that the petitioner and the fourth respondent are neighbours, they are directed to settle the matter by agreeing among themselves. The said agreement shall be binding on the petitioner and the fourth respondent and their successors in interest. It is made clear that the compromise settlement will not affect any Government property.

4.With the above direction, the writ petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Office of the Collectorate,
Tirunelveli District.
2. The Assistant Director,
Town Panchayat,
NGO Colony,
Tirunelveli.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 58450
+ 1 CC TO Mr.V.SASIKUMAR, ADVOCATE IN SR No. 58052
+ 1 CC TO Mr.H.ARUMUGAM, ADVOCATE IN SR No. 58261

MRN

TE/KK/SAR-3 : 23/04/2018 : 2P/6C

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