



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 03.07.2019

CORAM :

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The Hon'ble Mrs.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P.No.12840 of 2019

R.Thirumurthy

.. Petitioner

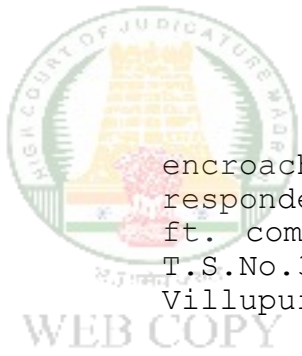
-vs-

1. The District Collector of Villupuram,
Collectorate,
Collector Office Road,
Moovendar Nagar,
Villupuram - 605 602.
2. The Sub Collector of Villupuram,
Office of the Sub Collector,
Jaggampettai,
Tindivanam,
Villupuram - 605 602.
3. The Tahsildar,
Tindivanam Taluk Office,
Kamatchi Amman Koil Street,
Tindivanam - 604 001.
4. The Superintending Engineer,
Tamil Nadu General and Distribution Corporation Limited,
Marakkanam Road,
Villupuram - 604 001.
5. The Assistant Executive Engineer, O & M,
Tamil Nadu General and Distribution Corporation Limited,
Thiruvalluvar Nagar,
Tindivanam - 604 001,
Tindivanam,
Villupuram District.

6.Navaneetham

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 to 5 to consider the petitioner's representation dated 23.01.2019 and to take steps to remove the illegal



encroachment of the public pathway encroached by the 6th respondent, western side of petitioner's land measuring 1197 sq. ft. comprised in Ayan Punja Survey No.170/3 (Ward-B, Block 17, T.S.No.33 - 00111.20 sq. mtr) in Tindivanam, Tindivanam Taluk, Villupuram District.

For Petitioner : Mr.T.Dhanasekaran

For Respondents : Mr.S.N.Parthasarathi
Government Advocate
for respondent Nos.1 to 3

Mr.S.Kaithamalaikumaran
for respondent No.6

R4 - Not ready in notice

R5 - Refused

ORDER

(Order of the Court made by The Hon'ble Chief Justice)

Heard Mr.T.Dhanasekaran, learned counsel for the petitioner; Mr.S.N.Parthasarathi, learned Government Advocate for respondent Nos.1 to 3 and Mr.S.Kaithamalaikumaran, learned counsel for respondent No.6.

2. The case of the petitioner is that respondent No.6 has illegally encroached on the public pathway on the western side of the petitioner's land measuring an extent of 1197 square feet comprised in Ayan Punja Survey No.1703 (Ward-B, Block-17, T.S.No.33-00111.20 square metre) in Tindivanam, Tindivanam Taluk, Villupuram District. The prayer of the petitioner is that a direction be issued to respondent Nos.1 to 5 to consider the petitioner's representation dated 23.01.2019 and to take steps to remove the said encroachment.

3. Respondent No.3 i.e., the Tahsildar, Tindivanam Taluk has filed an affidavit/status report, wherein it is stated that the said area was inspected and it was found that there was encroachment. The learned Government Advocate appearing for respondent Nos.1 to 3 submitted that further action is being taken by the concerned authority in accordance with law. Thus, it is seen that the authorities are taking action in relation to the said encroachment.



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4. In view of the above facts, no further orders are necessary in this writ petition and the writ petition is disposed of. No costs. Consequently, W.M.P.No.13044 of 2019 is closed.

Sd/-

Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

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To

- 1.The District Collector of Villupuram,
Collectorate, Collector Office Road,
Moovendar Nagar, Villupuram - 605 602.
- 2.The Sub Collector of Villupuram,
Office of the Sub Collector,
Jaggampettai, Tindivanam,
Villupuram - 605 602.
- 3.The Tahsildar,
Tindivanam Taluk Office,
Kamatchi Amman Koil Street,
Tindivanam - 604 001.
- 4.The Superintending Engineer,
Tamil Nadu General and Distribution Corporation Limited,
Marakkanam Road,
Villupuram - 604 001.
- 5.The Assistant Executive Engineer, O & M,
Tamil Nadu General and Distribution Corporation Limited,
Thiruvalluvar Nagar,
Tindivanam - 604 001,
Tindivanam,
Villupuram District.

+lcc to Mr.S.Kaithamalai kumaran, Advocate, S.R.No.55514

+lcc to the Government Pleader, S.R.No.55952

W.P.No.12840 of 2019

VBA(CO)

RRS(13/08/2019)