

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2019

CORAM

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.27656 of 2016

N.Palani

... Petitioner

Vs

- 1 The District Collector
Villupuram District.
- 2 The Assistant Director of Panchayat
Villupuram District.
- 3 The Block Development Officer
Melmalaiyanoor Taluk
Villupuram District.
- 4 The Thashildar
Melmalaiyanoor Taluk
Villupuram District.
- 5 The Village Headman
Manandhal Panchayat
Melmalaiyanoor Taluk
Villupuram District.
- 6 The Deputy Superintendent of Police
Gingee Taluk, Villupuram District.
- 7 K.Ravikumar ... Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing respondents 3 and 4 to initiate necessary steps to remove the encroachments made by the 7th respondent in the pathway Poramboke land comprised in Sy.No.161/4 situated at Manandhal Village, Gingee Taluk, Villupuram District

according to law and consequently permit the petitioner to use the same as pathway to access the main road, namely, Manandhal to Avaloorpet Road from their said Punjai land ad-measuring an extent of 1 Acres and 13.50 Ares, comprised in Sy.No.164, bearing Patta No.5709, situated in Manandhal Village, Gingee Taluk, Villupuram District.

For Petitioner : Mr.B.Ramakrishnan

For Respondents : Mr.V.Jayaprakash
Narayanan
Government Pleader (i/c.)
for respondents 1, 2 and
4 to 6

Mr.J.Pothiraj
Spl. Government Pleader
for 3rd respondent

Mr.V.Bhiman
for 7th respondent

ORDER

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

Heard Mr.B.Ramakrishnan, learned counsel for the petitioner; Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c.) for respondents 1, 2 and 4 to 6; Mr.J.Pothiraj, learned Special Government Pleader for the third respondent and Mr.V.Bhiman, learned counsel for the seventh respondent.

2. The case of the petitioner is that the seventh respondent has put up encroachment in Sy.No.161/4 situated at Manandhal Village, Gingee Taluk, Villupuram District, due to which his access to the main road is obstructed. Therefore, the petitioner has filed this petition seeking directions to respondents 3 and 4 to initiate necessary steps to remove the said encroachment.

3. The learned Special Government Pleader appearing for the third respondent, i.e., the Block Development Officer, Melmalaiyanoor Taluk, Villupuram District, states that the said encroachment has been removed. The learned counsel for the petitioner also admitted that the said encroachment has been removed.

In view of the above, the prayer in the petition has become infructuous and the writ petition is dismissed as such. No costs. Consequently, W.M.P.No.23829 of 2016 is closed.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

sasi

To:

- 1.The District Collector
Villupuram District.
- 2.The Assistant Director of Panchayat
Villupuram District.
- 3.The Block Development Officer
Melmalaiyanoor Taluk
Villupuram District.
- 4.The Thashildar
Melmalaiyanoor Taluk
Villupuram District.
- 5.The Village Headman
Manandhal Panchayat
Melmalaiyanoor Taluk
Villupuram District.
- 6.The Deputy Superintendent of Police
Gingee Taluk,
Villupuram District.

+1cc to Mr.V.Bhiman, Advocate, S.R.No.54735
+1cc to the Government Pleader, S.R.No.54890
+1cc to Mr.B.Ramakrishnan, Advocate, S.R.No.55195

PSD(CO)

W.P.No.27656 of 2016

RRS (18/07/2019)