

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2019

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.34841 of 2018

Nanjunda Achari

.. Petitioner

Vs.

1.The District Collector,
Krishnagiri District,
Krishnagiri.

2. The District Revenue Officer,
Collector Office, Krishnagiri.

3. The Tahsildar,
Hosur Taluk, Hosur,
Krishnagiri District.

4. Chennammal

5. Sayapathy

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of mandamus to direct the respondents 1 to 3 to remove the illegal encroachment put up by the respondents 4 & 5 all along the pathway to an extent of 12x36 as per representation of the petitioner dated 12.10.2018 made the pathway free from such illegal construction being coming up in future also.

For Petitioner : Mrs.R.Aparna

For Respondents : Mr.S.Kamalesh Kannan,
Government Advocate (R1 to R3)
Mr.S.C.Viswanath (R4 & R5)

O R D E R

(ORDER OF THE COURT MADE BY THE HON'BLE CHIEF JUSTICE)

Heard the learned counsel appearing for the petitioner, Mr.S.Kamalesh Kannan, learned Government Advocate appearing for the respondent nos.1 to 3 and Mr.S.C.Viswanath, learned counsel appearing for the respondent nos.4 & 5.

2.The petitioner is seeking directions to the respondent nos.1 to 3 to remove the illegal encroachment put up by the respondent nos.4 & 5 all along the area situated at Survey No.55/13, Bagalur Village, Hosur Taluk, Krishnagiri District.

3.The learned Government Advocate has tendered an affidavit of the Tahsildar viz., the respondent no.3. In the said affidavit, it is stated that the pathway was measured in the presence of the petitioner. The Firka Surveyor measured the pathway and showed the boundaries to the petitioner and the petitioner admitted that there are no encroachment in the pathway. The petitioner also gave a signed statement to the effect that there are no encroachment in the said pathway.

4.The signed statement of the petitioner is taken on record.

5.In view of the above, the Writ Petition is closed. No costs.
va

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Krishnagiri District, Krishnagiri.

2. The District Revenue Officer,
Collector Office, Krishnagiri.

3. The Tahsildar,
Hosur Taluk, Hosur,
Krishnagiri District.

+1cc to Mr.S.C.Vishwanth, Advocate, SR.No. 18857

+1cc to the Govt.Pleader, vide SR.No.19323

W.P.No.34841 of 2018

Vba (CO)

Kak(28/03/2019)