

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

Dated : 26.04.2019

CORAM:

**THE HONOURABLE MR.JUSTICE P.N.PRAKASH**  
**and**  
**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P. (MD) No.10232 of 2019**

N.Subramanian

... Petitioner

Vs.

1. The District Collector,  
Madurai District, Madurai.
2. The Tahsildar,  
Madurai West, Madurai.
3. The Block Development Officer,  
Thiruparankundram Panchayat,  
Thiruparankundram,  
Madurai - 5.

4.Suresh @ Perumal

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents 1 & 2 to remove the encroachment made by the fourth respondent at Public Pathway in Survey No.771/1 in 20' road near the Electricity Pole for providing connectivity to parallel road at Mottamalai, Kalaingar Nagar, Vilachery Panchayat, Madurai District.

For Petitioner : Mr.N.Subramanian  
Party-In-Person

For Respondents : Mr.A.K.Baskara Pandian,  
Special Government Pleader  
for R.1 to R.3

Mr.A.Thiyagarajan for R.4

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**ORDER****P.N.PRAKASH, J.,**

Heard N.Subramanian, petitioner / party-in-person;  
Mr.A.K.Baskara Pandian, learned Special Government Pleader for  
<https://hcservices.ecourts.gov.in/hcservices/>  
respondents 1 to 3; and Mr.A.Thiyagarajan, learned counsel for the  
fourth respondent.



2. It is the case of the petitioner that the fourth respondent has put up a fencing and blocked the pathway in Mottamalai, Kalaingar Nagar, Vilachery Panchayat, Madurai District and therefore, after giving a representation dated 19.03.2018, this writ petition has been filed for issuing a direction to the respondents 1 to 3 to remove the encroachments.

3. On perusal of records, it is seen that the petitioner has not placed any credible materials before us to show that the fourth respondent has made any encroachments in the public pathway.

4. Under such circumstances, we are not inclined to entertain this writ petition and the same is accordingly, dismissed. However, liberty is given to the petitioner to file a fresh application with sufficient materials, if any. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS )

To

1. The District Collector,  
Madurai District, Madurai.
2. The Tahsildar,  
Madurai West, Madurai.
3. The Block Development Officer,  
Thiruparankundram Panchayat,  
Thiruparankundram, Madurai - 5.

+1 CC to SPECIAL GOVERNMENT PLEADER ( SR-63343[F] dated 27/04/2019 )

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**26.04.2019**

GK

AE/ (13.05.2019) 2P 5C