



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2019

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
AND
THE HONOURABLE MRS. JUSTICE R.THARANI**

Writ Petition (MD)No.6271 of 2019

N.Balasubramanian

.. Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The District Revenue Officer,
Madurai District,
Madurai.

3.The Tahsilar,
Thirupparankundram Taluk,
Madurai District.

4.V.Manickam

5.V.Thiagarajan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the 1 to 3 respondents to take necessary steps and to remove the encroachment made in the pathway by the 4th and 5th respondents and restore the pathway situated in Town survey ward No.XXII, Block No.3, Madakulam Village, Thirupparangundram Taluk, Madurai District within a time stipulated by this Honourable Court.

For Petitioner : Mrs.Balameenakshi

For Respondents : Mr.VR.Shanmuganathan
Special. Govt. Pleader

ORDER

[Order of the Court was made by **K.KALYANASUNDARAM, J**]

By consent of the parties, the writ petition is taken up for final disposal.



2.The petitioner has come forward with this writ petition for issuance of Writ of Mandamus, directing the respondents 1 to 3 to take necessary steps to remove the encroachment made by the 4th and 5th respondents in Town survey ward No.XXII, Block No.3 of Madakulam Village, Thirupparangundram Taluk, Madurai District within a time frame.

3.The case of the petitioner is that the respondents 4 and 5 have encroached the pathway in S.No.108 of Madakkulam Village, Madurai.

4.Mr.V.R.Shanmuganath, learned Special Government Pleader, by producing adangal in respect of T.S.No.108 would state that the land in survey No.108 belongs to children of one Kandasamy.

5.In the light of the above fact that the disputed survey number has been classified as patta land, this writ petition is dismissed with liberty to approach the competent Civil Court for redressal of his grievance. No costs.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector,
Madurai District,
Madurai.

2.The District Revenue Officer,
Madurai District,
Madurai.

3.The Tahsilar,
Thirupparankundram Taluk,
Madurai District.

+1 CC to M/s.J.BALAMEENAKSHI, Advocate(SR-55071[F] dated19/03/2019)
+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.55100

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vs

PK/05.04.2019 : 2P/6C