



WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.04.2019**

CORAM:

**THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and**

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.8240 of 2019

Michael Raj

... Petitioner

-vs-

1.The District Collector,
Office of the Collectorate,
Tiruchirapalli District.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Srirangam, Trichirapalli District.

3.The Tahsildar,
Office of the Tahsildar,
Manappatai,
Trichirapalli District.

... Respondents

PRAYER: Petition is are filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondent Nos.1 to 3 to remove the illegal encroachment at Survey No.629m 632m 633 and 163 in Amayapuram village, Kulathurampatty, Manapparai (TK) Tiruchirapalli District by the way of considering the petitioner's representation dated 02.11.2018 within the time prescribed by this Court.

For Petitioner : Mr.V.Maheswari for Mr.R.Venkatesan
For Respondents : Mr.A.Muthukaruppan, AGP

O R D E R

[Order of the Court was made by N.KIRUBAKARAN, J.]

This Public Interest Litigation has been filed stating that there is an illegal encroachment in S.Nos.629, 632, 633 and 163 in Amayapuram village, Kulathurampatty, Manapparai (TK) Tiruchirapalli District by the villagers.

2.According to the petitioner, many persons have encroached upon the road and they had put up construction and therefore, the petitioner gave a representation on 02.11.2018. Since the said representation has not been considered, the petitioner is compelled to come before this Court.



3. Heard Ms.U.Maheswari, learned counsel appearing for the petitioner.

4. It is seen from the photograph produced before this Court by the learned counsel for the petitioner that the road is very wide road and it is a village road and only in a small portion of the road, temporarily, the villagers have stocked their firewood and harvests and it cannot be construed as encroachment. Normally, the villagers would stock all those things in that fashion. Even the petitioner also is a villager and he must know all those things. Probably to wreck vengeance against some of the people, the petitioner has filed this writ petition. Therefore, this petition is liable to be dismissed.

5. Accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS)

To:

1. The District Collector,
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2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Srirangam, Trichirapalli District.
3. The Tahsildar,
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Manappatai, Trichirapalli District.

+2 CC to M/s.R.VENKATESAN, Advocate (SR-59512[F] dated 08/04/2019)

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ES/DS/23.04.2019/2P/6C