



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:24.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

AND

THE HONOURABLE MRS. JUSTICE R.THARANI

Writ Petition(MD)No.10496 of 2018
and W.M.P.(MD).No.9600 of 2018

C.Sivakumar

.. Petitioner

Vs.

1.The Block Development Officer,
Panchayat Union
Thiruverumpur,
Trichy District.

2.The Thasildhar,
Thiruverumpur,
Trichy District.

3.The Panchayat Secretary,
Kundoor Panchayat,
Trichy District.

4.The Zonal Block Development Officer-II
Thiruverumpur,
Trichy District.

5.N.Rajalakshmi

..Respondents

(R-5 is impleaded vide court order
dated 04.04.2019 in W.M.P.(MD).No.15526/2018)

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus calling for the records of the 1st respondent impugned order dated 18.04.2018 quash the impugned order and consequently direct the respondent to follow the due process of law by giving notice and hearing before attempting to remove the alleged encroachment and forbearing the respondents in interfering with Plots No.10, 28 and 37 in survey Nos.229/1C and 35/7 which is pending before the Civil Forum for redressal.

For Petitioner : Mr.F.Deepak

For Respondents : Mr.Ayiram K.Selvakumar
Additional Govt.Pleader
for RR-1 to 4
Mr.M.P.Senthil for R-5



7. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed. We also give liberty to the petitioner to approach the Civil Court to establish his case, since it is stated the disputed pathway is a private pathway and not a public pathway.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar (CS)

vs

To

1. The Block Development Officer,
Panchayat Union
Thiruverumpur,
Trichy District.
2. The Thasildhar,
Thiruverumpur,
Trichy District.
3. The Panchayat Secretary,
Kundoor Panchayat,
Trichy District.
4. The Zonal Block Development Officer-II
Thiruverumpur,
Trichy District.

+1CC TO MR.M.SENTHIL, Advocate Sr. No.62383
+1CC TO MR.F.DEEPAK, Advocate Sr. No.62386
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 62757

Writ Petition (MD) No.10496 of 2018
24.04.2019

NSN(CO)

TR (03.06.2019) 3P 8C