



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 29.08.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P. (MD) NO. 18709 OF 2019

S.Ravi

.. Petitioner

- Vs -

1. The District Collector
Tirunelveli District
Tirunelveli.
2. The Tahsildar
Kadayanallur Taluk
Kadayanallur
Tirunelveli Dt.
3. The Revenue Inspector
Aykudi
Tirunelveli District.
4. The Block Development Officer
Kadayanallur Union
Tirunelveli District.
5. The Village Administrative Officer
Oormelazhagiyan Panchayat
Tirunelveli District.
6. Karthikeyan
7. Annadurai

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the 2nd and 4th respondents to remove the encroachment allegedly made by respondents 6 and 7 on the poramboke common pathway in S. No.404/14 and 404/18 at Oormelazhagiyan Village, Kadayanallur Taluk, Tirunelveli District on the basis of the representation dated 8.7.2019.



For Petitioner : Mr. T.Indrachithu

For Respondents : Mr. A.K.Baskarapandian, Spl. G.P.
For RR-1 to 3
Ms. J.Padmavathi Devi for R-4

WEB COPY

ORDER

(Order of the Court was made by M.Sathyanarayanan, J.)

The grievance expressed by the petitioner, who claims to be a public interest litigant is that Survey Nos.404/14 and 404/18 is shown in the village records as lane and street and the private respondents had put up an arch as well as gate and, thereby, preventing ingress and egress through the said street and lane and though it was considered by the 2nd respondent vide endorsement dated 16.7.19 in Na.Ka.A4/2446/2019, what was asked to be removed is only the wire fence put up on the land lane and not on the main arch and gate and, hence, came forward to file this petition. Attention of this Court was also invited to the photographs found at page-2 of the typed set of documents.

2. A perusal of the photographs coupled with the abovesaid endorsement of the 2nd respondent disclose that the 2nd respondent did not know the existence of the arch and gate put up right across the lane and street.

3. In the light of the above facts and circumstances, the 2nd respondent shall forward necessary communication to the 4th respondent, who after putting the petitioner as well as the private respondents on notice, shall again cause inspection of the street and lane in survey Nos.404/14 and 404/18 of Oormelazhagiyan Village, Kadayanallur Taluk, Tirunelveli District, within a period of four weeks from the date of receipt of a copy of this order and depending upon the result of the inspection shall take appropriate action in accordance with law to remove the alleged obstruction within a further period of four weeks thereafter and communicate the decision taken to the petitioner as well as to respondents 6 and 7.

4. This writ petition is disposed of accordingly.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)



To

1. The District Collector
Tirunelveli District, Tirunelveli.
2. The Tahsildar
Kadayanallur Taluk
Kadayanallur, Tirunelveli Dt.
3. The Revenue Inspector
Aykudi, Tirunelveli District.
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+1 CC to SPL GP SR-84541.

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CS(16.09.2019) 3P 7C