



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **24.09.2019**

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs.JUSTICE R.THARANI

W.P.(MD).No.20528 of 2019

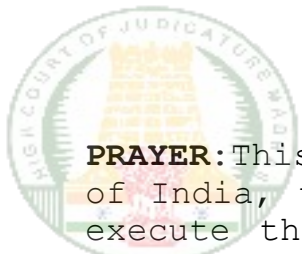
M.Suresh Kannan

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep by the District Collector,
Virudhunagar District.
- 2.The District Revenue Officer,
Virudhunagar Collectorate Complex,
Virudhunagar District.
- 3.The Assistant Director,
Rural Development,
Virudhunagar Collectorate Complex,
Virudhunagar District.
- 4.The Revenue Divisional Officer,
Sivakasi Revenue Division,
Sivakasi,
Virudhunagar District.
- 5.The Tahsildar,
Srivilliputhur,
Virudhunagar District.
- 6.The Special Tahsildar,
Adhi-Dravidar Welfare Board,
Srivilliputhur,
Virudhunagar District.
- 7.The Revenue Inspector,
Srivilliputhur Revenue Circle,
Srivilliputhur Taluk,
Virudhunagar District.
- 8.The Block Development Officer,
Srivilliputhur Panchayat Union,
Kottaipatti Panchayat,
Srivilliputhur,
Virudhunagar District.

... Respondents



PRAYER: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to execute the order of the second respondent order dated 18.09.2015 then to remove the obstacle encroachment in the Adhthi Dravidar Welfare layout pathway situated in S.Nos.815/6, 816/1 and 2, Singammal Village, Srivilliputhur Taluk, Virudhunagar District.

For Petitioner : Mr.N.Balasubramanian
For R1 to R7 : Mr.A.Muthukaruppan
Additional Government Pleader
For R8 : Mr.M.Jeyakumar
Additional Government Pleader

ORDER

(Order of this Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.N.Balasubramanian, learned counsel appearing for the petitioner, Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the respondent Nos.1 to 7 and Mr.M.Jeyakumar, learned Additional Government Pleader appearing for the eighth respondent.

2.By consent of either side, this writ petition is taken up for disposal.

3.The petitioner seeks for a direction upon the respondents 3 to 8 by complying with the order passed by the second respondent in proceeding dated 18.09.2015. He would have considered the petitioner's case, if the petitioner had impleaded the alleged encroachers.

4.Since those persons are not parties to the writ petition, we cannot grant the relief as sought for in the writ petition.

5.The learned Additional Government Pleader appearing for the eighth respondent would submit that there is encroachment in the entire street. If there is an encroachment, it goes without saying that action should be initiated in accordance with law, for which, no direction is required from this Court. Therefore, the eighth respondent should take action in accordance with law.

6.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)



To

1. The District Collector,
The State of Tamil Nadu,
Virudhunagar District.
2. The District Revenue Officer,
Virudhunagar Collectorate Complex,
Virudhunagar District.
3. The Assistant Director,
Rural Development,
Virudhunagar Collectorate Complex,
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4. The Revenue Divisional Officer,
Sivakasi Revenue Division,
Sivakasi,
Virudhunagar District.
5. The Tahsildar,
Srivilliputhur,
Virudhunagar District.
6. The Special Tahsildar,
Adhi-Draavidar Welfare Board,
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Srivilliputhur Revenue Circle,
Srivilliputhur Taluk,
Virudhunagar District.
8. The Block Development Officer,
Srivilliputhur Panchayat Union,
Kottaipatti Panchayat,
Srivilliputhur,
Virudhunagar District.

+1 CC to spl.GP (SR-89383[F] dated 25/09/2019)

W.P. (MD) .No.20528 of 2019
24.09.2019

ns

MK (11.10.2019) 3P 10C