



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

Writ Petition (MD).No.24780 of 2019

S.Parvathy

... Petitioner

Vs.

- 1.The District Collector,
Thanjavur,
Thanjavur District.
- 2.The Revenue Divisional Officer,
Pattukkottai, Thanjavur District.
- 3.The Thasildar,
Pattukkottai, Thanjavur District.
- 4.The Block Development Officer,
Pattukottai Union,
Pattukottai, Thanjavur District.
- 5.Sanmarkam
- 6.Gowthaman
- 7.Ravivarman
- 8.Saritha

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 1 to 4 to remove the obstruction in public pathway in Survey No.96/4, 96/5 and etc in Pudhukottai Ullur Village public cement road by way of putting Gate based on the petitioner's representation dated 24.07.2019.

For Petitioner : Mr.S.J.Chakkaravarthy

For Respondents : Mr.M.Murugan
Government Advocate (for R1 to R3)

Mrs.S.Srimathy
Special Government Pleader (for R4)



O R D E R

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

Heard Mr.S.J.Chakkaravarthy, learned counsel appearing for the petitioner, Mr.M.Murugan, learned Government Advocate appearing for the respondents 1 to 3 and Mrs.S.Srimathy, learned Special Government Pleader appearing for the fourth respondent.

2.This writ petition has been filed for issuance of Writ of Mandamus to direct the respondents 1 to 4 to remove the obstruction in public pathway in Survey No.96/4, 96/5 and etc., in Pudhukottai Ullur Village public cement road by way of putting Gate based on the petitioner's representation, dated 24.07.2019.

3.Though the private respondents have been impleaded, who are alleged to have encroached, as we dispose of this writ petition at the admission stage, we do not make any adverse observations against the private respondents. There is an allegation that there is an encroachment in the public road/pathway, we direct the third respondent to conduct an inspection on the area, after issuing notice to the petitioner and all residence of the area by giving white publicity and also informing by using loudspeaker and this shall be arranged by the Block Development Officer. If there is an encroachment, the same should be delineated and those encroachers can be permitted to remove the encroachment themselves by giving them seven days time, failing which, the authority can take action for removal of such encroachment.

4.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

rmk

To

1.The District Collector,
Thanjavur,
Thanjavur District.

2.The Revenue Divisional Officer,
Pattukkottai, Thanjavur District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Thasildar,
Pattukkottai, Thanjavur District.

4.The Block Development Officer,
Pattukottai Union,
Pattukottai, Thanjavur District.

+1 CC to SPL GP (SR-100896[F] dated 25/11/2019)

+1 CC to Mr.S.J.CHAKKARAVARTHY, Advocate (SR-100604[F] dated
22/11/2019)

+1 CC to SPL GP (SR-101124[F] dated 25/11/2019)

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