



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.7274 of 2013

and

M.P (MD)Nos.1 & 2 of 2013

WEB COPY

K.Murugesan

... Petitioner

Vs.

1.The District Collector,
Madurai, Madurai District.

2.The Tahsildar,
Thirumangalam Taluk Office,
Thirumangalam, Madurai District.

3.The Superintendent of Police,
Madurai District.

4.The Sub-Inspector of Police,
Villur Village,
Thirumangalam Taluk, Madurai District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, to call for the records relating to the proceedings of the first respondent in pursuance of the impugned proceeding dated 28.09.2012 in Na.Ka.Na.55443/2012/Y2 and quash the same.

For Petitioner : Mr.B.Rajesh Saravanan

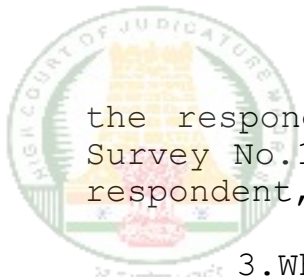
For Respondents : Mr.P.Kannithevan

Additional Government Pleader

ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Certiorari, to call for the records relating to the proceedings of the first respondent in pursuance of the impugned proceeding dated 28.09.2012 in Na.Ka.Na.55443/2012/Y2 and quash the same.

2.According to the petitioner, he is in possession and enjoyment of 46 cents in Survey Nos.134/1 and 134/2 of Villur Village, Madurai District. On the West of his property, a cart-way is situated at Survey No.129/1 and tar road is situated at Survey No.129/1 part. In the mean time, the first respondent vide proceedings in Na.Ka.No.55443/2012/Y2 dated 28.09.2012 had given permission to the third and fourth respondents to enter into the land measuring 0.03.24 hectares at Survey No.129/1, for the purpose of construction of Villur Police Station. Hence, the petitioner made an objection before the respondents 1 and 2 not to block ingress and egress to reach his property. Further, according to the petitioner,



the respondents have no legal right to encroach the cart-way at Survey No.129/1. Challenging the impugned order passed by the first respondent, the petitioner has filed the present Writ Petition.

3.When the matter is taken up for hearing, Mr.P.Kannithevan, learned Additional Government Pleader appearing for the respondents, on instructions, submitted that there is no obstruction or hindrance to the petitioner's ingress and egress of the property in Survey Nos.134/1 and 134/2 and he has also filed a photographs to that effect.

4.On perusal of the photographs filed in the Writ Petition, it is seen that there is no obstruction for ingress and egress of the petitioner's property.

5.Recording the submission made by the learned Additional Government Pleader, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ps

Note:In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy,shall be the responsibility of the advocate/litigant concerned.

To

- 1.The District Collector,
Madurai, Madurai District.
- 2.The Tahsildar,
Thirumangalam Taluk Office,
Thirumangalam, Madurai District.
- 3.The Superintendent of Police,
Madurai District.
- 4.The Sub-Inspector of Police,
Villur Village, Thirumangalam Taluk,
Madurai District.

Order made in
W.P. (MD)No.7274 of 2013
Dated:13.08.2020

SPU(24.08.2020) 2P 5C

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