



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

W.P. (MD) .No.9759 of 2020

V.Muthusamy

... Petitioner

Vs.

1.The District Collector,
O/o. The District Collector,
Dindigul District.

2.The Tahsildar, O/o. The Tahsildar,
Vedasandur Taluk,
Dindigul District.

3.P.Gopal
4.G.Lingamaal

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 and 2 to remove the encroachment made by the respondents 3 and 4, in the light of the proceedings passed by the first respondent in O.Mu.No.30111/2019/D2, dated 18.11.2019, in accordance with law, within the time stipulated by this Court.

For Petitioner : Mr.A.P.Balasubramanian
For R1 & R2 : Mr.M.Muthugeethaiyan
Special Government Pleader

O R D E R

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

The petitioner is a resident of Puthuvadi, Palapatti Village, Vedasandur Taluk, Dindigul District and according to him, he and the residents of the Village are using the landmark pathway in Survey Nos.849/4, 846 and 847/1 of Palapatti Village, Vedasandur Taluk, Dindigul District and the respondents 3 and 4 are preventing them from using the same and the representation submitted in this regard has failed to evoke any kind of response and hence, he has come forward to file this writ petition.



2. This Court has entertained the writ petition on 26.08.2020 and on that day, the learned Special Government Pleader accepted notice on behalf of the respondents 1 and 2 and sought time to get instructions and the matter is listed today and the learned Special Government Pleader has produced the Patta bearing No.805, standing in the name of Rengammal, W/o. Adaikala Gounder and Lingammal, W/o. Gopal, in respect of the lands in Survey Nos.846, 847/1 and 862/1A.

3. The Patta bearing No.966 standing in the name of the petitioner and his brother Manikam has also been produced in respect of the lands in Survey Nos.849/3C, 849/4, 850/2B, 851/1C and 852/4.

4. In the light of the same, no further orders are necessary and if the petitioner is aggrieved by any alleged act of the private respondents, he is at liberty to invoke the common law remedy before the appropriate forum. The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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, O/o. The District Collector,
Dindigul District.

2.The Tahsildar, O/o. The Tahsildar,
Vedasandur Taluk, Dindigul District.

+1 CC to M/s.A.P. BALASUBRAMANIAN, Advocate (SR-17650[F] dated 22/09/2020)

+1 CC to M/s.GP (SR-17577[F] dated 21/09/2020)

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AVS (CO)

TR(30.09.2020) 2P 5C

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