



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE T. S. SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.5236 of 2021

and W.M.P. (MD) No.4192 of 2021

WEB COPY

M.Marimuthu

.. Petitioner

Vs

1.The District Collector,
Pudukkottai.

2.The Tahsildar,
Karambakudi Taluk,
Pudukkottai District.

3.The President,
Malaiyur Village Panchayat,
Pudukkottai District.

4.Shanmugam

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to take appropriate action to demolish the unauthorized and illegal construction by encroaching the Government purpomboke land in 148/1 of with Koogaipuliyan Kollai, Malaiyur Village & Post, Karambakudi Taluk, Pudukkottai District by the 4th respondent.

For Petitioner

: Mr.Anbarasan

for M/s.K.Baalasundaram

For Respondent Nos.1 to 3 : Mr.K.Mu.Muthu

Additional Government Pleader

For Respondent No.4

: Ms.Pushpalatha

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

This Writ Petition has been filed, seeking for issuance of a Writ of Mandamus, to direct respondent Nos.1 to 3 to take appropriate action to demolish the unauthorized and illegal construction by encroaching the Government purpomboke land in 148/1 of with Koogaipuliyan Kollai, Malaiyur Village & Post, Karambakudi Taluk, Pudukkottai District by the 4th respondent.

2.Heard Mr.Anbarasan, learned counsel appearing for the petitioner, Mr.K.Mu.Muthu, learned Additional Government Pleader appearing for respondent Nos.1 to 3 and Ms.Pushpalatha, learned counsel for the fourth respondent.



3.Learned Additional Government Pleader appearing for respondent Nos.1 to 3 on instruction submitted that already survey has been conducted in the presence of the petitioner and the fourth respondent and it has been ascertained that the said land is not the Government land but it is fourth respondent's private land. This fact is not disputed by the learned counsel for the petitioner. Hence, no direction as sought for can be granted.

4.Accordingly, the Writ Petition is dismissed. Consequently, connected Miscellaneous Petition is also dismissed. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

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,
Pudukkottai.

2.The Tahsildar,
Karambakudi Taluk,
Pudukkottai District.

3.The President,
Malaiyur Village Panchayat,
Pudukkottai District.

+3 CC to M/s.PUSHPALATHA.V, Advocate (SR-17598[F] dated 27/04/2021)

+1 CC to M/s.SPL GP (SR-17728[F] dated 27/04/2021)

W.P.(MD) No.5236 of 2021
26.04.2021

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