



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2021

CORAM

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**The Hon'ble Mr.JUSTICE T.S.SIVAGNANAM**

**AND**

**The Hon'ble Mrs.JUSTICE S.ANANTHI**

W.P. (MD) No.7597 of 2021

A.Joseph Arokiyaraj

.. Petitioner

Vs

1. The District Collector,  
Trichy District, Trichy.
2. The Tahsildar,  
Marungapuri Taluk Office,  
T.Kallupatti, Trichy District.
3. The Block Development Officer,  
Marungapurai Union Office,  
T.Kallupatti, Trichy District.
4. The Village Panchayat President,  
Palakurichi Village Panchayat,  
Palakurichi, Trichy District.
5. Valliyammai
6. Arumuga Kumar

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, directing the respondents 1 to 4 remove the encroachment made by the respondents 5 and 6 in survey No.533/33 and 533/35 classified as 'Santhu' situated at Palakurichi village, Marungapuri Taluk, Trichy District, on the basis of the petitioner's representation dated 14.12.2020.

For Petitioner

: Mr.K.Arunraj

For respondents

: Mr.N.Shanmuga Selvam,  
Additional Government Pleader  
for R3 and R4



ORDER

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

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This writ petition has been filed to remove the alleged encroachment said to have been caused by respondents 5 and 6.

2. The petitioner's case is that the respondents 5 and 6 have encroached a lane in Survey No.533/33 and 533/35, Palakurichi village, Marungapuri Taluk, Trichy District. The petitioner has sent a representation on 14.12.2020 and since no action was initiated had rushed to this Court by way of this writ petition.

3. Since we are disposing of this writ petition without notice to the respondents 5 and 6, we cannot issue any positive direction nor can we ascertain as to whether there is any private dispute between the petitioner and the respondents 5 and 6. In any event, the revenue authority shall look into the matter. We direct the 3<sup>rd</sup> respondent-Block Development Officer, to cause an inspection of the area and ascertain the full facts and proceed in accordance with law. We make it clear that we are not issuing any positive direction as sought for in the writ petition.

4. The Writ Petition stands disposed of, accordingly. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

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,  
Trichy District, Trichy.
2. The Tahsildar,  
Marungapuri Taluk Office,  
T.Kallupatti, Trichy District.



3. The Block Development Officer,  
Marungapurai Union Office,  
T.Kallupatti, Trichy District.

4. The Village Panchayat President,  
Palakurichi Village Panchayat,  
Palakurichi, Trichy District.

+1 CC to M/s.SPL GP ( SR-15505[F] dated 08/04/2021 )

W.P. (MD) No.7597 of 2021  
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RK (26.04.2021) 3P 6C