



WEB COPY

W.P.(MD).No.10978 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.(MD) No.10978 of 2021

and

W.M.P(MD) .No.8613 of 2021

P.Ayyamperumal

.. Petitioner

Vs

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Usilampatti,
Madurai District.

2. The Tahsildar,
Peraiyur, Madurai District.

3. Ramamoorthy

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus directing the respondents 1 and 2 to remove the encroachments in agriculture pathway made by the third respondent in Survey No.282/5C at Utthapuram Village, Peraiyur Taluk, Madurai District.

For Petitioner : Mr.K.Goukul

For respondents : Mr.A.K.Manickam,
Standing Counsel for Government
for R1 and R2

ORDER

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

Heard Mr.K.Gokul, learned counsel appearing for the petitioner and Mr.A.K.Manickam, learned Government Counsel appearing for the respondents 1 and 2.

2. The writ petitioner seeks for a direction upon the respondents 1 and 2 to remove the encroachments in agriculture

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pathway made by the third respondent in Survey No.282/5C, at Utthapuram Village, Peraiyur Taluk, Madurai District.

3. The learned Government Counsel appearing for the respondents 1 and 2 submitted that the land in question is a patta land of the third respondent. In fact, in the petition, which was given by the petitioner to the Authorities on 25.12.2020, the petitioner has himself admitted that the land in question is a patta land of Ramamoorthy, S/o. Ponniah Pillai and patta No.2356 has been granted. If such is the case, the relief sought for by the petitioner cannot be granted.

4. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

Note :

1. 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.

Pkn

To:

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Usilampatti,
Madurai District.

2. The Tahsildar,
Peraiyur, Madurai District.

+1 CC to M/s.SPL GP (SR-21346[F] dated 06/07/2021)

W.P. (MD) No.10978 of 2021

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CN(12.07.2021) 2P 4C