



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.16763 of 2020

C. Sakthi Ganapathy

... Petitioner

Vs.

1.The District Collector,
Karur District, Karur.

2. The Tahsildar,
Kulithalai Taluk,
Karur District.

3. The President,
Pathiripatti Panchayat,
Naganottakaran Patti,
Pathiripatti Village & Post,
Thogaimalai Vali,
Kulithalai Taluk,
Karur District - 621 306.

4.S. Namachivayam

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus directing the second respondent to take necessary action to remove the encroachment made by the fourth respondent in Survey No.260/8, Naganottakaran Patti, Pathiripatti Village & Post, Thogaimalai Vali, Kulithalai Taluk, Karur District - 621 306, as per the recommendation of the first respondent in Na.Ka.A1/14696/2019, dated 20.09.2019, by considering the petitioner's representation dated 09.09.2019.

For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.P.Thilakkumar

Government Pleader

For R.1 to R.3

Mr.T.M.Madasamy

For R.4

ORDER

(Order of this Court was made by **M.DURAI SWAMY, J.**)

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the second respondent to take necessary action to remove the encroachment made by the fourth respondent in



Survey No. 260/8, Naganottakaran Patti, Pathiripatti Village and Post, Thogaimalai Vali, Kulithalai Taluk, Karur District, as per the recommendation of the first respondent, dated 20.09.2019, by considering the petitioner's representation, dated 09.09.2019.

2. Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 to 3 submitted that the second respondent had already issued an assignment patta in favour of the fourth respondent in respect of the land in Survey No.260/8 and therefore, the prayer sought for by the petitioner in this Writ Petition cannot be granted.

3. Since the second respondent had issued an assignment patta in favour of the fourth respondent, as early as in the year 2003, we do not find any reason to entertain the Writ Petition. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

LR/SSL

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, Karur District, Karur.

2. The Tahsildar,
Kulithalai Taluk, Karur District.

3. The President,
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Naganottakaran Patti,
Pathiripatti Village & Post,
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Karur District - 621 306.

+1 CC to M/s.GP (SR-28815[F] dated 13/09/2021)

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RD(16.09.2021) 2P 5C

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