



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.18633 of 2021

A.Senthil Kumar

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

3.The Tahsildar,
Thiruchuli Taluk,
Virudhunagar District.

4.The Head Surveyor,
Taluk Office,
Thiruchuli,
Virudhunagar District.

5.The Superintending Engineer,
Virudhunagar DEC,
TANGEDCO,
Ramamoorthy Road,
Virudhunagar 626 001.

6.M.Rajendran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 5 herein to remove all the encroachments made by the sixth respondent in the public pathway namely 'Vandipathai' in Survey Nos.102/1A and 107/5B1 in V.Pudur Village which is located in Thiruchuli Taluk of Virudhunagar District and consequently directing the fifth respondent to shift the two electric poles erected by the fifth respondent obstructing the public pathway namely 'Vandipathai' in Survey Nos.102/1A and 107/5B1 in V.Pudur Village, Thiruchuli Taluk of Virudhunagar District to some other place and restore the same as per the land revenue field map records by considering the petitioner's representation dated 16.08.2021.



For Petitioner : Mr.S.Bharathy Kannan
For RR 1 to 4 : Mr.B.Saravanan
Government Advocate

ORDER

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

WEB COPY

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the respondents 1 to 5 to remove all the encroachments made by the sixth respondent in the public pathway namely 'Vandipathai' in Survey Nos.102/1A and 107/5B1 in V.Pudur Village, which is located in Thiruchuli Taluk of Virudhunagar District.

2.When the matter is taken up for hearing, Mr.B.Saravanan, learned Government Advocate taking notice for the respondents 1 to 4, submitted that the lands in Survey Nos.102/1A and 107/5B1 are patta lands belonging to Rajendran and Lakshmana Raja respectively.

3.The learned Government Advocate also produced a copy of the 'A' register pertaining to Survey Nos.102/1A and 107/5B1, which also supports the contention of the learned Government Advocate. Further, on a perusal of the 'A' register, it is clear that the 'Vandipathai' lies in Survey Nos.102/2 and 107/3 and not in Survey Nos.102/1A and 107/5B1, as alleged by the petitioner.

4.Since the lands in Survey Nos.102/1A and 107/5B1 are patta lands, the petitioner is not entitled to get any relief in the Writ Petition. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

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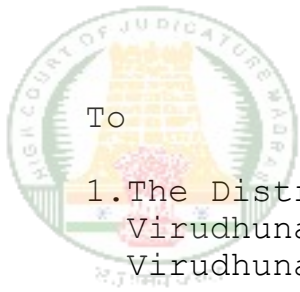
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Sub Assistant Registrar(CS)

ps

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,
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+1 CC to M/s.S.BHARATHY KANNAN, Advocate (SR-32332[F]
dated 22/10/2021)

+1 CC to M/s.SPL.GP (SR-32091[F] dated 21/10/2021)

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