



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2021

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S. ANANTHI

W.P. (MD) Nos. 21270 and 22673 of 2017

and

W.M.P. (MD) No. 17549 of 2017 in W.P. (MD) No. 21270 of 2017

W.P. (MD) No. 21270 of 2017:-

S. Muthupandiyar

... Petitioner

Vs.

1. The District Collector,
Tirunelveli District.

2. The Revenue Divisional Officer,
Tirunelveli District.

3. The Tahsildar,
Sankarankovil Post and Taluk,
Tirunelveli District.

4. The Block Development Officer,
Sankarankovil Taluk,
Tirunelveli District.

5. The Firka Surveyor,
Karivalamvandhanallur Post,
Sankarankovil Taluk,
Tirunelveli District.

6. Ramasamy Thevar, S/o. Kalimuthu Thevar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 5 from making any alteration in S.F.No.358/7C1 and 7E of Paruvakudi Village, Sankarankovil Taluk, Tirunelveli District.

For Petitioner	:	Mr.S.Radhakrishnan
For R1 to R5	:	Mrs.J.Padmavathi Devi Special Government Pleader
For R6	:	Mr.P.Samuel Gunasingh



W.P. (MD) No. 22673 of 2017:-

Thirumadhi, W/o. Seenivasan

... Petitioner

Vs.

WEB COPY

1. The District Collector,
Tirunelveli, Tirunelveli District.

2. The Assistant Director (Panchayats),
Tirunelveli, Tirunelveli District.

3. The Block Development Officer,
Sankarankovil Panchayat Union,
Tirunelveli District.

4. Muthupandi, S/o. Samuthiram

5. Ganesan, S/o. Velu Thevar

6. Samuthiram, S/o. Subbiah Thevar

7. Velu Thevar, S/o. Chinnapandi Thevar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the respondents 4 to 7 herein in the public road, situated in Survey No. 455/2, Kodhainachiyar Village, Paruvakudi Panchayat, Sankarankovil Taluk, by considering the petitioner's representation, dated 04.09.2017, within the time to be stipulated by this Court.

For Petitioner : Mr. R. Nireesh Kumar

For R1 to R3 : Mrs. J. Padmavathi Devi
Special Government Pleader

For R4 to R6 : Mr. S. Radhakrishnan

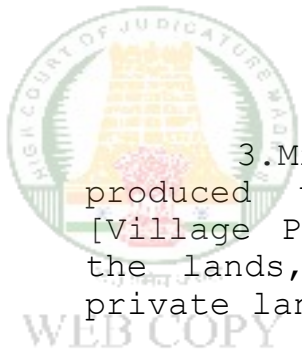
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COMMON ORDER

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

As the issue involved in both the writ petitions is one and the same, they have been taken up for hearing and disposed of by this common order.

2. The grievance of the petitioner in W.P. (MD) No. 22673 of 2017 is that an encroachment has been made by the private respondents over the Patta land. W.P. (MD) No. 21270 of 2017 has been filed directing respondent Nos. 1 to 5 from making any alteration in S.F. No. 358/7C1 and 7E of Paruvakudi Village, Sankarankovil Taluk, Tirunelveli District.



3. Mrs. J. Padmavathi Devi, learned Special Government Pleader produced the instructions from the Block Development Officer [Village Panchayat], Sankarankovil, dated 31.10.2017, stating that the lands, which are subject matter of the writ petitions, are private lands.

4. In such view of the matter, both the writ petitions stand closed with the finding that the lands, which are subject matter of the writ petitions, are private lands. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

SMN2

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,
Tirunelveli District.
2. The Assistant Director (Panchayats),
Tirunelveli,
Tirunelveli District.
3. The Revenue Divisional Officer,
Tirunelveli District.
4. The Tahsildar,
Sankarankovil Post and Taluk,
Tirunelveli District.
5. The Block Development Officer,
Sankarankovil Taluk,
Tirunelveli District.



6. The Firka Surveyor,
Karivalamvandhanallur Post,
Sankarankovil Taluk,
Tirunelveli District.

+1 CC to THE SPECIAL GOVERNMENT PLEADER (SR-6669[F] dated 23/02/2021)

+1 CC to Mr. RADHA KRISHNAN, Advocate (SR-6253[F] dated 19/02/2021)

Order made in
W.P. (MD) Nos. 21270 & 22673 of 2017 and
W.M.P. (MD) No. 17549 of 2017 in
W.P. (MD) No. 21270 of 2017
19.02.2021

ES (CO)

SRS (11/03/2021) 4P : 9C