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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.3.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.6282 of 2022

D.Babu

.. Petitioner

Vs

- 1.The District Collector, Thiruvannamalai
District, Thiruvannamalai.
- 2.The District Revenue Officer
Thiruvannamalai District,
Thiruvannamalai.
- 3.The Revenue Divisional Officer,
Cheyyar Revenue Division,
Cheyyar-604407. Thiruvannamalai District
- 4.The Tahsildar, Vandavasi Taluk,
Vandavasi, Thiruvannamalai
District-604408.
- 5.The Block Development Officer,
Peranamallur Block, Peranamallur.
604503. Thiruvannamalai District.
- 6.The Revenue Inspector, Peranamallur
Firkha, Peranamallur-604503.
Thiruvannamalai District
- 7.The Village Administrative Officer,
Septankulam Village, Mosavadi P.O.,
Vandavasi Taluk, Thiruvannamalai District.
- 8.The Village Administrative Officer,
Nambedu Revenue Village, Ariyabadi
Village, Vandavasi Taluk, Thiruvannamalai
District



9.The Village Administrative Officer,
Injimedu Village and P.O., Vandavasi
Taluk, Thiruvannamalai District.

10.Elumalai

11.Santhi

12.Adhikesavan (Bus conductor)

.. Respondents

Prayer: Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the official respondents 1 to 9 to remove the encroachments made in the pattai (cart track) comprised in Survey Numbers 1, 42/1, 43/1, 45/1, 66/1 (in Septankulam village), S.Nos.150/4A and 149/3 (in Aryabadi village) and S.No.99/B (in Injimedu village), Vandavasi Taluk, Thiruvannamalai District and consequently to restore the original length and width of the pattai (cart track) as existed in the revenue records within the time fixed by this Honble court.

For Petitioner : Mr.N.Elumalai

For Respondents : Mr.J.Ravindran, Additional
Advocate General assisted
by Mr.S.J.Mohammed Sathik
State Government Pleader
for R1 to R9

ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

We have heard the learned counsel appearing for the respective parties.

2. The writ petition has been filed as a public interest litigation alleging encroachments of lands in certain survey numbers.

3. To support the contentions raised in the writ petition, the petitioner has enclosed photographs to show that there has been encroachment in the cart track.

4. The petitioner has given the survey numbers of other lands also, which are inclusive of patta lands. Thus, the allegation of encroachment has been made misleading the facts, as we do find any encroachment in the photographs enclosed in the typed set of papers. Rather, the cart track still exists. Thus, we find that the public interest litigation has been persuaded by reasons other than public interest.



5. Finding no merit, the writ petition is dismissed. There will be no order as to costs.

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Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

RS

To:

1. The District Collector, Thiruvannamalai District, Thiruvannamalai.
2. The District Revenue Officer Thiruvannamalai District, Thiruvannamalai.
3. The Revenue Divisional Officer, Cheyyar Revenue Division, Cheyyar-604407. Thiruvannamalai District
4. The Tahsildar, Vandavasi Taluk, Vandavasi, Thiruvannamalai District-604408.
5. The Block Development Officer, Peranamallur Block, Peranamallur-604503. Thiruvannamalai District.
6. The Revenue Inspector, Peranamallur Firkha, Peranamallur-604503. Thiruvannamalai District
7. The Village Administrative Officer, Septankulam Village, Mosavadi P.O., Vandavasi Taluk, Thiruvannamalai District.
8. The Village Administrative Officer, Nambodu Revenue Village, Ariyabadi Village, Vandavasi Taluk, Thiruvannamalai District



9. The Village Administrative Officer,
Injimedu Village and P.O., Vandavasi
Taluk, Thiruvannamalai District.

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+1cc to Mr.N.Elumalai, Advocate SR. No.18923
+1cc to Government Pleader SR. No.18840

W.P.No.6282 of 2022

SSD (CO)
PR (28/03/2022)