



WEB COPY



W.P.No.17113 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2022

CORAM :

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

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.17113 of 2022

V.Ramamoorthy

.. Petitioner

Vs

- 1 The District Collector
District Collectorate
Krishnagiri District - 635 001.
- 2 The Revenue Divisional Officer
Hosur Taluk, Krishnagiri District.
- 3 The Tahsildar
Hosur Taluk, Krishnagiri District.
- 4 Muthupaiyan
- 5 M.Kandasamy
- 6 Rathinam
- 7 Arun
- 8 Shivarajan
- 9 Murali @ Murali Reddy
- 10 Channa Reddy

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India
praying for a writ of mandamus directing respondents 1 to 3 to take



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necessary action based on the petitioner's representation dated 04.10.2021 and remove the encroachment made by the respondents 4 to 10 in cart track cum pathway in Survey Nos.737, 738 and 739 in Nallur Village, Hosur Taluk, Krishnagiri District.

For the Petitioner : Mr.E.Viswanathan

For the Respondents : Mr.J.Ravindran
Addl. Advocate General
assisted by
Mr.A.Selvendran
Spl. Government Pleader
for respondents 1 to 3

ORDER

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

This writ petition has been filed to seek a direction on the respondents 1 to 3 to take action on the representation made by the petitioner on 04.10.2021 and to remove the encroachment made by the respondents 4 to 10 in the cart track cum pathway in Survey Nos.737, 738 and 739 in Nallur Village, Hosur Taluk, Krishnagiri District.

2. The photographs on record do not show the encroachment as such in the land in question and otherwise we find few pillars



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erected therein. No development has been made on the open land so as to prove the encroachment. It otherwise remains a question of fact and cannot be determined exercising jurisdiction under Article 226 of the Constitution of India.

3. In view of the above, we are not inclined to entertain the writ petition and it is accordingly dismissed. However, if the petitioner wants to determine the question of facts, he would be at liberty to avail it before an appropriate forum. There will be no order as to costs.

(M.N.B., CJ.) (N.M., J.)
06.07.2022

Index : Yes/No
bbr

To:

- 1 The District Collector
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Hosur Taluk, Krishnagiri District.



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THE HON'BLE CHIEF JUSTICE
AND
N.MALA,J.

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