



W.P. No.32591 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2022

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No.32591 of 2022

K.Prabakaran

... Petitioner

Vs

1.The District Collector
Namakkal District

2.The Thasildar
Paramathi Velur, Namakkal District.

3.The Inspector of Police
Nallur Police Station
Nallur, Namakkal District.

4.Viswanathan

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing respondents 1 to 3 to take appropriate action to remove the encroachment caused over the public pathway existing in SF. No. 290/2 E.Nallagoundampalayam Village Namakkal District caused by the 4th respondent.

For the Petitioner :: Mr.R.Nalliyappan

For the Respondents :: Mr.A.Selvendran,
Special Government Pleader,
for respondents 1 to 3



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ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed praying for a Writ of Mandamus directing respondents 1 to 3 to remove the encroachment caused over the public pathway in SF.No.290/2 of E.Nallagoundampalayam Village, Namakkal District, by the fourth respondent.

2. In support of his claim that the fourth respondent has encroached the public pathway, the petitioner has enclosed photographs, found at pages 16 and 17 of the typed set of papers. It is seen that there are young coconut trees on both sides of a cart-track. According to the petitioner, vehicles laden with materials cannot have easy ingress and egress. During harvest season, farmers are facing huge problems because of the trees put up by the fourth respondent.

3. Mr.A.Selvendran, learned Special Government Pleader appearing for the respondents also submitted that there is encroachment and sought four weeks' time to remove the same. He also sought permission to survey the land before removing the encroachment.



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4. In view of the above, the respondents are directed to survey the land, with due notice to the affected parties, and remove the encroachment i.e. coconut trees. The entire exercise should be completed within a period of four weeks' from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

(T.R., ACJ.) (D.B.C., J.)
07.12.2022

Index: Yes/No
tar

To

- 1.The District Collector
Namakkal District
- 2.The Thasildar
Paramathi Velur, Namakkal District.
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