



WEB COPY

W.P(MD)No.675 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P (MD)No.675 of 2022

P.Raju

... Petitioner

-Vs-

- 1.The District Collector,
O/o. The District Collector,
Dindigul, Dindigul District.
- 2.The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Dindigul, Dindigul District.
- 3.The Tahsildar,
Guziliamparai Taluk Office,
Guziliamparai, Dindigul District.
- 4.Alagar
- 5.Papathi
- 6.Ramar
- 7.Kaleeshwari

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing respondents 1 to 3 to remove the encroachment made by the respondents 4 to 7 in Survey No.1359/51 which is situated at Devakavundanoor, Vadugampadi Village, Guziliamparai Taluk, Dindigul District by considering the petitioner's representation dated 07.08.2020.

For Petitioner : Mr.A.Abdul Kabur

For Respondents : Mr.J.Ashok,
Additional Government Pleader
for R1 to R3

: Mr.S.Sarvagan Prabhu
for R4 to R7



ORDER

[Made by R.VIJAYAKUMAR, J.]

The present public interest litigation has been filed seeking a Writ of Mandamus directing respondents 1 to 3 to remove the alleged encroachment made by respondents 4 to 7 in Survey No.1359/51, situated at Devakavundoor, Vadugampatti Village, Dindigul District.

2. After filing of the writ petition, the private respondents namely, respondents 4 to 7 and the statutory respondents namely, respondents 1 to 3 have filed their respective counters. The private respondents 4 to 7 have also filed a typed-set of papers indicating the fact that they have been granted patta for the properties which are in their possession in Survey No. 1359/51.

3. According to learned counsel for the petitioner, patta should not have been granted in favour of the private respondents.

4. Since patta has already been granted in favour of the private respondents, the possession of the private respondents cannot be considered to be an encroachment. Hence, at this stage, we are not inclined to entertain the writ petition.

5. In view of the above, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

pkn

To

1.The District Collector,

O/o. The District Collector,
Dindigul, Dindigul District.

2.The Revenue Divisional Officer,

O/o. Revenue Divisional Officer,
Dindigul, Dindigul District.

3.The Tahsildar,

Guziliamparai Taluk Office,
Guziliamparai, Dindigul District.

+1 CC to M/s.S. SARVAGAN PRABHU, Advocate (SR-16570[F] dated 05/04/2022)

+1 CC to M/s.SPL.GP (SR-17032[F] dated 06/04/2022)

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MGJ(12.04.2022) 2P 6C

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