



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)No.661 of 2022

Ramachandran

.. Petitioner

Vs.

1.The District Collector,
Virudhunagar Collector Office,
Virudhunagar District .

2.The Revenue Divisional Officer,
R.D.O.Office, Arupukottai Taluk,
Virudhunagar District.

3.The Tahsildar,
O/o. Taluk Office,
Arupukottai Taluk, Virudhunagar District.

4.The Block Development Officer,
Block Development Office,
Thiruchuli, Arupukottai Taluk, Virudhunagar District.

5.Muthugopal.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 4 to conduct proper Survey and remove the encroachment made by the fifth respondent and other private persons in public road in Natham Survey No.229/40, in Kalaiyarkarisalkulam Village, Arupukottai Taluk, Virudhunagar District, based on the third respondent proceedings in Na.Ka.A2/2451/2021 dated 06.08.2021 and petitioner's representation on 10.07.2021 and 30.07.2021, within a stipulated time that may be fixed by this Court.

For Petitioner

: Mr.P.Ponraj

For Respondents 1 to 3

: Mr.S.R.A.Ramachandran,
Additional Government Pleader.

For Respondent No.4

: Mr.K.Balasubramanian
Special Government Pleader.

For Respondent No.5

: Mr.A.Jeyaram



ORDER

[Made by PARESH UPADHYAY, J.]

This petition is projected as the grievance of the petitioner against the private respondent, alleging encroachment.

2. Having heard learned advocates for the respective parties and having considered the material on record we find *prima facie* that, the dispute essentially is a matrimonial dispute between two sides and the consequence thereof has resulted in this petition. Even if there is strict non-compliance of the local law, in the facts of this case, writ petition under Article 226 of the Constitution of India need not be entertained.

3. For the above reasons, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sj

To

- 1.The District Collector,
Virudhunagar Collector Office, Virudhunagar District .
- 2.The Revenue Divisional Officer,
R.D.O.Office, Arupukottai Taluk, Virudhunagar District.
- 3.The Tahsildar,
O/o. Taluk Office, Arupukottai Taluk,
Virudhunagar District.
- 4.The Block Development Officer,
Block Development Office,
Thiruchuli, Arupukottai Taluk,
Virudhunagar District.

+1 CC to M/s.SPL.GP (SR-10952[F] dated 09/03/2022)

W.P (MD) No.661 of 2022
07.03.2022

MGJ(17.03.2022) 2P 6C