



WEB COPY

W.P(MD)No. 5787 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P (MD)No. 5787 of 2022

Ponnuthai

.. Petitioner

Vs

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Special Tahsildar,
Adi Dravidar Welfare Department,
Thoothukudi, Thoothukudi District.

3.The Tahsildar,
Kayathar Taluk, Thoothukudi District.

4.The Assistant Block Development Officer,
Kalappaipatti Panchayat,
Kayathar Taluk, Thoothukudi District.

5.K.Parvathi.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus directing the respondents 1 to 3 to consider my representation dated 20.01.2022 within a time limit stipulated by this Court.

For Petitioner : Mr.S.Sivakumarshanmugavel

For Respondents : Mr.K.Balasubramani,
Special Government Pleader
for R1 to R3
Mr.S.Shaji Bino,
Special Government Pleader
for R4

ORDER

[Made by R.VIJAYAKUMAR, J.]

This writ petition has been filed for a Writ of mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 20.01.2022.

<https://hcservices.courts.gov.in/hcservices/>



2. According to the learned counsel for the petitioner, the fifth respondent who is the private party is said to have been encroached upon the Survey No.135/13B situated at Kalappaipatti Village, Thoothukudi District and put up construction. Admittedly, Survey No.135/13B is the private patta land said to have been assigned by the Government in favour of the petitioner. When the properties are private patta land and encroacher is a private party, the petitioner is not entitled to seek the help of the authorities for removal of encroachment or by invoking Article 226 of the Constitution of India.

3. The petitioner is at liberty to approach appropriate forum, if so advised. This writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Special Tahsildar,
Adi Dravidar Welfare Department,
Thoothukudi, Thoothukudi District.

3.The Tahsildar,
Kayathar Taluk, Thoothukudi District.

4.The Assistant Block Development Officer,
Kalappaipatti Panchayat,
Kayathar Taluk, Thoothukudi District.

+1 CC to M/s.SPL GP (SR-16044[F] dated 01/04/2022)

+1 CC to M/s.S.SIVAKUMARSHANMUGAVEL, Advocate (SR-16129[F] dated 01/04/2022)

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PA(08.04.2022) 2P 7C