



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.[MD]No.12176 of 2022

A.M.M.Abdul Ravuf Nistar : Petitioner

Vs.

1.The Commissioner,  
Tirunelveli City Municipal Corporation,  
Tirunelveli.

2.The Assistant Commissioner,  
Thatchanallur Zone,  
Tirunelveli.

3.The Tahsildar,  
Tirunelveli Taluk,  
Tirunelveli District.

4.The Inspector of Police,  
Thatchanallur Police Station,  
Thatchanallur,  
Tirunelveli.

5.Arumugam : Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment made by the fifth respondent in government poramboke pathway in T.S.No.81/18 (Old Survey No.1027/3), Ward A Chatramputhukulam, Thatchanallur Town, Tirunelveli District.

For Petitioner : Mr.R.J.Karthick

For Respondents 1 to 4 : Mr.S.P.Maharajan  
Special Government Pleader

**O R D E R**

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[Order of the Court was made by **P.N.PRAKASH, J.**]

Alleging that the fifth respondent has made encroachments in T.S.No.81/18 [Old Survey No.1027/3], Ward A, Block 39, Chatramputhukulam Village, Thatchanallur Zone, Tirunelveli District, the present writ petition has been filed for a direction to the authorities to remove the same.



2.Learned Counsel for the petitioner submitted the extract from the Town Survey Land Register which shows that T.S.No.81/18 has been classified as "Sarkar Poramboke" and being utilised as a pathway.

3.We do not know what is the present classification of T.S.No.81/18. There are also no sufficient materials before us except the photographs to say us that the fifth respondent has made encroachments as alleged by the petitioner.

4.In such view of the matter, we direct the first respondent to depute their officers with the help of revenue authorities to find out if there are encroachments in T.S.No.81/18 as alleged by the petitioner and if it is found that there are encroachments, it is needless to state that the said encroachments should be removed in accordance with law.

5.With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

MR

To

- 1.The Commissioner,  
Tirunelveli City Municipal Corporation,  
Tirunelveli.
- 2.The Assistant Commissioner,  
Thatchanallur Zone,  
Tirunelveli.
- 3.The Tahsildar,  
Tirunelveli Taluk,  
Tirunelveli District.
- 4.The Inspector of Police,  
Thatchanallur Police Station,  
Thatchanallur,  
Tirunelveli.

+1 CC to M/s.S.P. MAHARAJAN, Advocate( SR-26498[F] dated 17/06/2022 )

+1 CC to M/s.SPL.GP ( SR-26758[F] dated 20/06/2022 )

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**17.06.2022**

MGJ(27.06.2022) 2P 7C

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