



W.P.(MD) No.11816 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.11816 of 2016
and W.M.P.(MD)No.10397 of 2016

Sree Rengan

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Tuticorin District.

2.The Tahsildar,
Office of the Tahsildar,
Srivaikundam,
Tuticorin District.

3.The Block Development Officer,
Village Panchayats,
Karungulam,
Srivaikundam,
Tuticorin District.

... Respondents



W.P.(MD) No.11816 of 2016

WEB COPY PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to direct the 3rd Respondent to implement the 2nd respondent proceedings in Na.Ka. Aa7/17655/2016 dated 23.03.2016 by removing the encroachment to enable the villagers to use the pathway without any hindrance within the time frame fixed by this Court.

For Petitioner : Mr.R.Senthil Kumar

For Respondents : Mr.S.P.Maharajan,
Spl. Govt. Pleader for R1 & R2

Mr.K.Mahesraja for R3

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent to direct the 3rd Respondent to implement the 2nd respondent's proceedings in Na.Ka.Aa7/17655/2016 dated 23.03.2016, by removing the encroachments, to enable the villagers to use the pathway without any hindrance.



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2. Today, when the matter was taken up for hearing, the learned Special Government Pleader appearing for respondents 1 and 2 has produced a communication of the third respondent dated Nil.09.2022 and submitted that with regard to the subject matter in issue a civil suit in O.S.No.113 of 2016 was filed on the file of the District Munsif Court, Srivaikundam, and the same was dismissed, against which, an appeal suit in A.S.No.21 of 2020 filed before the Sub Court, Tiruchendur is pending consideration.

3. In view of the above, this Writ Petition is closed leaving it open to the respective parties to agitate their respective rights in the pending appeal. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D., J.] [J.S.N.P., J.]

28.09.2022

vsm



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R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

vsm

To

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