



W.P.(MD) No.14545 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.14545 of 2016

Tmt.V.Kandaroopi Vijayan
President,
Kalluthu Village Panchayat,
Usilampatti Panchayat Union,
Madurai District.

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Block Development Officer (Village Panchayat),
Usilampatti Panchayat Union,
Usilampatti,
Madurai District.

3.Ochammal

... Respondents

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PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the 1st and 2nd respondents to give adequate support to the petitioner's panchayat for removal of encroachment made by the 3rd respondent in the panchayat well situated at Kalluthu Village, Usilampatti Taluk, Madurai District based on the notice issued by the petitioner dated 23.10.2015.

For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.S.P.Maharajan,
Spl. Govt. Pleader for R1 & R2
Mr.D.Malaichamy 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 respondents 1 and 2 to give adequate support to the petitioner's panchayat for removal of the encroachments made by the 3rd respondent in the panchayat well situated at Kalluthu Village, Usilampatti Taluk, Madurai District, based on the notice issued by the petitioner dated 23.10.2015.



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2. Today, when the matter was taken up for hearing, the learned Special Government Pleader appearing for the respondents 1 and 2 submitted that with regard to the property in question, the third respondent has filed a suit in O.S.No. 207 of 2015 on the file of the District Munsif cum Judicial Magistrate Court No. 1, Usilampatti, seeking for permanent injunction against the petitioner and others and the same is pending.

3. In view of the above, this Writ Petition is closed leaving it open to the respective parties to agitate their respective rights before the Civil Court. No costs.

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

28.09.2022

vsm

To

1.The District Collector,
Madurai District,
Madurai.

2.The Block Development Officer (Village Panchayat),
Usilampatti Panchayat Union,

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vsm

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