



W.P.(MD) No.21505 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.21505 of 2016

J.D.Jose Balan Gnanaraj

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Madurai District,
Madurai.

3.The Tahsildar,
Madurai West Taluk,
Madurai District.

4.Kannika Niraivani

... Respondents

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PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 - 3 to take appropriate steps to remove the encroachment put up by 4th respondent in Survey No.52A/1B2 by encroaching the 20 feet common pathway and remove the same by considering the representation given by the petitioner dated 29.07.2013, 02.12.2013, 08.09.2015 and as per the proceedings of the 2nd respondent in O.Mu.No. 6175/2013/A dated 01.08.2013.

For Petitioner : Mr.N.Sathish Babu

For Respondents : Mr.V.Nirmal Kumar,
Government Advocate for R1 to R3

Mr.J.Barathan for R4

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 respondents 1 to 3 to take appropriate steps to remove the encroachment made by the 4th respondent in the 20 feet common pathway in Survey No.52A/1B2, by considering the representations of the petitioner dated



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29.07.2013, 02.12.2013, 08.09.2015 and as per the proceedings of the 2nd respondent in O.Mu.No.6175/2013/A, dated 01.08.2013.

2. A Counter affidavit has been filed by the third respondent stating that there is no encroachment in the common pathway as alleged by the petitioner and that there is no pathway at all.

3. Recording the above said specific averment in the counter affidavit, this Writ Petition is closed. No costs.

[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

- 1.The District Collector,
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- 3.The Tahsildar,
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