



W.P.(MD) No.20895 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

W.P.(MD) No.20895 of 2018

1.V.Vijayakumar

2.K.Vadivel

... Petitioners

-VS-

1.The District Collector
Madurai District
Madurai

2.The Grama Niruvaga Sabai
Anupanady, Madurai
Rep. by its Secretary

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to consider the representation dated 08.02.2018 with regard to removal of the encroachment put up in Anupanady Village, Madurai, in T.S.No.292/1 and further direct the respondents to take immediate steps.



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For Petitioners : Mr.M.M.E.Phillips

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1
No appearance for R2

ORDER

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

The prayer in this writ petition is for issuance of a writ of mandamus directing the respondents to consider the petitioners' representation dated 08.02.2018 with regard to removal of encroachments put up in Anupanady Village, Madurai, comprised in T.S.No.292/1 and to direct the respondents to take immediate steps.

2. The learned Government Pleader appearing for the first respondent, on instructions, submitted that the subject land *viz.*, Survey No. 292/1 of Anupanady Village, wherein encroachments alleged to have been made, is a private (Patta) property and therefore, the petitioners' grievance does not come under the category of Public Interest Litigation and that apart, there is no encroachment, as projected by petitioners, in the subject land.



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3. Recording the above submission of the learned Government Pleader, the writ petition is dismissed. No costs.

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

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Index : Yes / No
Internet : Yes / No

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To:
The District Collector,
Madurai District,
Madurai.



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