



W.P(MD)No.27663 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2022

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.27663 of 2022

A.Ayyanar

... Petitioner

VS.

1.The District Collector,
Theni District,
Theni.

2.The Revenue Divisional Officer,
Revenue Division Office,
Uthamapalayam,
Theni District.

3.The Tahsildar,
Uthamapalayam Taluk,
Theni District.

4.The Block Development Officer,
Chinnamanur,
Theni District.

5.Ayyanasamy

6.Dharmar

7.Arivalagan

8.Karuppaiah

... Respondents



W.P(MD)No.27663 of 2022

WEB COPY

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 3 and 4 to conduct spot inspection and remove the encroachment done by the respondents 5 to 8 on the common pathway as per the memo of the second respondent in O.Mu.No.5906/2022/A6, dated 12.11.2022.

For Petitioner : Mr.K.Sathish Kumar
For RR 1 to 3 : Mr.K.Balasubramani
Additional Government Pleader

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, directing the respondents 3 and 4 to conduct spot inspection and remove the encroachment made by the respondents 5 to 8 on the common pathway, as per the memo of the second respondent in O.Mu.No. 5906/2022/A6, dated 12.11.2022.



W.P(MD)No.27663 of 2022

WEB COPY

2. According to the petitioner, the property in Survey Nos.685/1 and 336/1 to an extent of 6 acres and 68 cents situated at Karungattankulam Village belonged to his father and thereafter, he is in possession and enjoyment of the same. Further, there is a common pathway in Survey Nos.343 to 363 at Karungattukulam Village and by using the pathway, he has to reach his land. While being so, the respondents 5 to 8 have blocked the pathway. Stating so, the petitioner made a representation, dated 02.11.2022 to the respondents 1 and 2. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3.

4. On a perusal of the representation as well as in the affidavit filed in support of the Writ Petition, it is seen that the petitioner has not given any particulars of the description of the survey number in the common pathway.



W.P(MD)No.27663 of 2022

WEB COPY

5.In the absence of such particulars in the representation as well as in the affidavit filed in support of the Writ Petition with regard to the description of the survey number in the common pathway, we are not inclined to grant any relief. Accordingly, this Writ Petition is dismissed. No costs.

Index : Yes / No
Internet : Yes
ps

[D.K.K.,J.] [R.V.,J.]
07.12.2022

To

- 1.The District Collector,
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Theni.
- 2.The Revenue Divisional Officer,
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Uthamapalayam,
Theni District.
- 3.The Tahsildar,
Uthamapalayam Taluk,
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4/5



WEB COPY



W.P(MD)No.27663 of 2022

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and
R.VIJAYAKUMAR,J.

ps

ORDER MADE IN
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