



W.P.(MD).No.20568 of 2017

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2022

CORAM:

**THE HONOURABLE MR.JUSTICE S.S. SUNDAR
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P.(MD).No.20568 of 2017

1.V.Selvam
2.Jaya

... Petitioners

Vs.

1.The District Collector,
Dindigul District.

2.The Tahsildar,
Natham Division,
Dindigul District.

3.The Zonal Surveyor,
Reddiyapatti,
Dindigul District.

4.The Block Development Officer,
Natham Division,
Dindigul District.

5.Raja
6.Vellaithai

R5 and R6 are impleaded vide Court
order dated 14.11.2017 in W.M.P.(MD).No.
17179 of 2017.

... Respondents



W.P.(MD).No.20568 of 2017

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the fourth respondent to remove the encroachment in the common road which is the only connecting road to land in Survey No.312/3E3 and other adjacent lands situated in Pudur Village, Natham Taluk, Dindigul District.

For Petitioners : Mr.G.Thiruvartselvan
For R1 to R4 : Mr.S.P.Maharajan
Special Government Pleader

ORDER

(Order of the Court was made by S.S.SUNDAR.J.,)

This Writ Petition is filed for issuance of a Writ of Mandamus, directing the fourth respondent to remove the encroachment in the common road, which is the only connecting road to land in Survey No.312/3E3 and other adjacent lands situated in Pudur Village, Natham Taluk, Dindigul District.

2. Heard Mr.G.Thiruvartselvan, learned counsel for the petitioners and Mr.S.P.Maharajan, learned Special Government Pleader appearing for the respondents 1 to 4.



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3. The encroachment according to the petitioners is in Survey No. 446/2. It appears that the encroachment is in the common pathway, which would disable the petitioners to have free access from their residential houses.

4. The learned Special Government Pleader appearing for the respondents 1 to 4 on instructions submitted that the encroachment was putting up a temporary bathroom in the middle of the pathway and that the same was removed after following due process.

5. Considering the facts submitted by the learned Special Government Pleader, the prayer sought for in this Writ Petition has become infructuous. Accordingly, this Writ Petition is dismissed as infructuous. No costs.

**[S.S.S.R.J.] [S.S.Y.J.,]
23.08.2022**

Index : Yes / No
Internet: Yes / No

akv



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