



W.P(MD) No.21971 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2022

CORAM:

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

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Raju

... Petitioner

-VS-

1.The District Collector,
Collector Office, Tirunelveli.

2.The Revenue Divisional Officer,
Officer of the Revenue Divisional Officer,
Tirunelveli District.

3.The Tahsildar,
Sankarankovil Taluk,
Sankarankovil,
Tirunelveli District.

4.Ganesan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents 1 to 3 to remove the encroachments made by the fourth respondent in vacant site in Survey Nos.447/25,26 for an extent of 0053, 00050 Hectares respectively situated at Kuvalaikanni Village, Sankarankovil Taluk, Tirunelveli District.



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For Petitioner : Mr.V.Selva
For Respondent : Mr.P.Thilak Kumar,
Government Pleader
for R1 to R3
No appearance for R4

ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

The petitioner has come forward with this writ petition praying to issue a writ of mandamus directing the respondents 1 to 3 to remove the encroachments made by the fourth respondent in vacant site in Survey Nos.447/25,26, measuring an extent of 0053, 00050 Hectares respectively, at Kuvalaikanni Village, Sankarankovil Taluk in Tirunelveli District.

2. Heard Mr.V.Selva, learned counsel for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader, appearing for the respondents 1 to 3.

3. The allegation of the petitioner is that the fourth respondent had illegally put up the construction in the vacant land which is classified as “Government Poramboke” and despite the directions issued to the third



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respondent from the second respondent to remove the encroachment, till date, no action had been taken by the authorities to prevent such encroachment made by the fourth respondent.

4. In response, the learned Government Pleader appearing for the respondents 1 to 3 submitted that the property in question *qua* Survey No.447/25,26 is a vacant land and as on date, there is no encroachment as alleged by the writ petitioner. Therefore, he submitted that nothing survives for adjudication in this matter.

5. Recording the said submission, this Writ Petition stands closed with liberty to the writ petitioner to approach the authorities to redress his grievances. No costs.

[R.M.D., J.] [J.S.N.P., J.]
14.09.2022

Index : Yes / No
Internet : Yes / No
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R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

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To:

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