



W.P.No.6103 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2023

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.6103 of 2023

Mathanraj

..

Petitioner

Vs.

1. The District Collector
Ariyalur District.
2. The Revenue Divisional Officer
Udayarpalayam
Ariyalur District.
3. The Tahsildar (Revenue)
Aandimadam Taluk.
4. The Block Development Officer
Aandimadam, Aandimadam Taluk
Ariyalur District.
5. The Village Administrative Officer
Periyakrishnapuram Village
Aandimadam
Ariyalur District.

6. Pachaikannu

..

Respondents

Page 1 of 5



W.P.No.6103 of 2023

WEB COPY

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 1 to 5 herein to consider the petitioner's representation dated 20.12.2022 and remove the encroachment made by the sixth respondent in S.No.317/3, Periyakrishnapuram Village, Andimadam Taluk, Ariyalur District and safeguard the pathway rights of petitioner's family members as legally.

For the Petitioner : Mr.B.Ramar

For the Respondents : Mr.J.Ravindran
Additional Advocate General
Assisted by
Mr.A.Selvendran
Special Government Pleader
for Respondents 1 to 5

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner seeks a direction to the respondents 1 to 5 herein to consider his representation dated 20.12.2022 for removing the encroachment made by the sixth respondent in S.No.317/3, Periyakrishnapuram Village, Andimadam Taluk, Ariyalur District and to safeguard the pathway rights of his family members.



W.P.No.6103 of 2023

WEB COPY

2. According to the petitioner, his property is situated in S.Nos.316/25 and 318/20 in Periyakrishnapuram Village, Andimadam Taluk, Ariyalur District. The common passage in S.No.317/3, classified as Road, as per the A-Register and village map, used by his family members for more than several decades to access his property, was encroached by the sixth respondent by constructing a concrete house. Hence, he made a representation to the respondents to remove the encroachment made by the sixth respondent. As no action has been taken on the same, the petitioner has come up with the above writ petition.

3. Mr.J.Ravindran, learned Additional Advocate General sought four weeks' time to undertake a survey of the land in question and to remove the encroachment, if any, made by the sixth respondent, as per law.

4. In view of the above, this writ petition is disposed of, directing the respondents 1 to 5 to undertake survey of the land in question and



W.P.No.6103 of 2023

WEB COPY

if it is found that there is an encroachment in S.No.317/3 made by the sixth respondent, the same shall be removed in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
01.03.2023

Index : Yes/No

Neutral Citation : Yes/No

kpl

To

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Page 4 of 5



WEB COPY



W.P.No.6103 of 2023

T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY,J

(kpl)

W.P.No.6103 of 2023

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