



WP No.2717 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.2717 of 2023
and WMP No.2817 of 2023

S.Gowrishankar

.. Petitioner

-VS-

1. The District Revenue Officer,
Office of the District Collector,
Erode District.
2. The Revenue Divisional Officer,
CSI Institution Campus,
Chidambaram Colony, Erode.
3. The Tahsildar,
Tahsildar Office,
Modakkurichi, Erode District.

4. A.Chandrasekaran

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the impugned order passed by the 1st respondent in Na.Ka.No.15798/2020/U1, dated 26.12.2020 and quash the same and consequently direct the 1st respondent to remove the encroachment made by the 4th respondent over the land classified as "Cart



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Track/Nilaviyal Vandi Pathai" in R.S.No.728/9 and 728/11 in Nanjai Uthukkuli B Village, Modakurichi Taluk, Erode District by revoking the patta illegally issued to the 4th respondent for the Government land classified as "Cart Track/Nilaviyal Vandi Pathai".

For the Petitioner : Mr.J.Vinoth
For the Respondent : Mr.P.Muthukumar,
State Government Pleader,
for RR 1 to 3
: Mr.A.Sundaravadhanan
for R-4

* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.J.Vinoth, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader, for respondent Nos.1 to 3 and Mr.A.Sundaravadhanan, learned counsel for respondent No.4.

2. The Revenue Divisional Officer has passed an order to the effect that the petitioner shall not be prevented from using the subject writ pathway. It is further submitted that the patta that has



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been issued is only on Natham settlement leaving Natham Vandi Pathai as in existence. The 4th respondent has also filed a civil suit. According to the learned counsel for the petitioner, no injunction order is passed in the said suit.

3. An order is already passed in favour of the petitioner by the Revenue Divisional Officer. If according to the petitioner the respondent No.4 is still preventing him, the petitioner may have a remedy before the Civil Court.

With this observation, the writ petition is disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No

Neutral Citation : Yes/No

sra

To

1. The District Revenue Officer,
Office of the District Collector,
Erode District.

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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sra)

2. The Revenue Divisional Officer,
CSI Institution Campus,
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