



W.P.No.4982 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.4982 of 2023

R.Rajamani

.. Petitioner

Vs.

1. The District Collector
Namakkal District
Namakkal.

2. The Tahsildar
Rasipuram Taluk
Namakkal District.

3. The Trustee
Arulmigu Mariamman Kovil
Karkoodal Patti, Bit-1 Mettala
Rasipuram Taluk
Namakkal District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents 1 and 2 to remove the encroachment made in S.Nos.214/15, 16 and 31



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Karkoodal Patti Village, Rasipuram Taluk as per the representation dated 02.12.2022 within the time stipulated.

For the Petitioner : Mr.M.Devaraj

For the Respondents : Mrs.R.Anitha
Special Government Pleader
for Respondents 1 & 2

Not ready in Notice
for Respondent-3

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.M.Devaraj, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader for the respondents 1 and 2.

2. The petitioner alleges encroachment in the pathway by the third respondent.

3. Learned Special Government Pleader, on instructions, submits that as far as S.No.214/15 is concerned, the same is



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classified as temple land. S.No.214/16 is classified as radio room in village record. There is no individual encroachment in the said pathway. S.No.214/31 is classified as a pathway in the village record and is being used as pathway by the public. On the west side of the above field, the petitioner made encroachment by constructing a compound wall and cattle shed in the patta land. If the compound wall is removed by the petitioner herself, there is no hindrance in going to her patta land. If at all there is an encroachment on the pathway S.No.214/16, the State authority shall take action in respect of the said encroachment in accordance with law expeditiously.

4. The writ petition is disposed of accordingly. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)
31.07.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl



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THE HON'BLE CHIEF JUSTICE
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