



WP No.7083 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2023

CORAM

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

AND

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

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G.Raman

: Petitioner

versus

- 1.The District Revenue Officer,
Ranipet District, Office of the DRO,
Ranipet, 632 401
- 2.The Revenue Divisional Officer,
Ranipet Revenue Division, RDO Office,
Ranipet 632 401
- 3.The Block Development Officer,
Thimiri Panchayat Union, Thirmir,
Arcot Taluk, Ranipet 632 401
- 4.The President,
Thamaraipakkam Village Panchayat
Thamaraipakkam, Arcot Taluk,
Ranipet 632 401
- 5.The Tahsildar, Arcot Taluk,
Taluk Office, Arcot
Ranipet 632 401

6.Suresh

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records of the fifth respondent relating to the impugned order passed by him in No.O.Mu.Aa.1.3061/2021 dated



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02.12.2021 and quash the same nad direct the respondents to remove the encroachment committed by 6th respondent on public property at Tamaraipakkam Village, Arcot Taluk.

For the Petitioner : Mr.K.M.Muralidharan
For Respondents 1 to 5 : Mrs.R.Anitha, Spl.G.P.
For Respondent No.6 : Mr.R.Veeramani

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.K.M.Muralidharan, learned counsel for the petitioner, Mrs.R.Anitha, learned Special Government Pleader, for respondents 1 to 5 and Mr.R.Veeramani, learned counsel for the sixth respondent.

2. The case of the petitioner is that the sixth respondent has encroached upon a public pathway. The petitioner seeks restoration of status-quo ante.

3. If the encroachment is on a private property, writ cannot be issued; the petitioner has a remedy before the Civil Court. If it is on a public pathway, then the Government and/or the local authority has got powers to remove the encroachment.

4. It appears that there is a feud between the petitioner and the sixth respondent; civil suits are pending between them for partition and separate possession. The petitioner and the sixth respondent are related to each other. As such, we are not entertaining the present writ petition on merits.



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5. Mrs.R.Anitha, learned Special Government Pleader, submits that survey is conducted and further action, in accordance with the survey report, would be undertaken.

6. In view of the said statement, the Writ Petition stands disposed of. There will be no order as to costs. Consequently, WMP No.7161 of 2023 is closed.

(S.V.G., C.J.)

(P.D.A., J.)

22.09.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(tar)

5.The Tahsildar, Arcot Taluk,
Taluk Office, Arcot
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