



W.P.No.7548 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.7548 of 2023

K.Aathimoolam

.. Petitioner

Vs

- 1 The District Collector
Kallakurichi District.
- 2 The Revenue Divisional Officer
Revenue Divisional Office
Kallakurichi - 606 213
Kallakurichi District.
- 3 The Thasildar
Thasildar Office, Chinnasalem
Kallakurichi District - 606 201.
- 4 The Block Development Officer
Chinnasalem, Kallakurichi District.
- 5 Ramasamy

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 4



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herein to take appropriate action to remove the encroachment caused over the Public pathway existing in Survey No.336/1 of Vadakananthal Post, Chinnasalem Taluk, Kallkurichi District - 606 207.

For the Petitioner : Mrs.Rajeswari Karthikeyan

For the Respondents : Mr.J.Ravindran
Additional Advocate General
assisted by
Mr.A.Selvendran
Special Government Pleader
for respondents 1 to 3

: Mr.P.Muthukumar
State Government Pleader
for 4th respondent

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

K.Aathimoolam, son of Krishnan, a resident of Vadakananthal, Chinnasalem Taluk, Kallakurichi District, has filed this writ petition seeking issuance of a writ of mandamus directing respondents 1 to 4 herein to take appropriate action to remove the encroachment caused over the public pathway existing in Survey No.336/1 of Vadakananthal Post, Chinnasalem Taluk, Kallkurichi District - 606 207.



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2. Mrs.Rajeswari Karthikeyan, learned counsel appearing on behalf of the petitioner, would submit that the fifth respondent encroached upon the common pathway comprised in Survey No.336/1 of Vadakananthal Post, Chinnasalem Taluk, Kallkurichi District - 606 207, due to which the petitioner and his neighbours are unable to reach their lands and the passage of cattle is also completely blocked. A copy of the "A' Register has also been produced to show that the land in question is classified as "Road".

3. Mr.J.Ravindran, learned Additional Advocate General, assisted by Mr.A.Selvendran, learned Special Government Pleader, appearing on behalf of respondents 1 to 3, and Mr.P.Muthukumar, learned State Government Pleader appearing on behalf of the fourth respondent, submitted that if six weeks' time is granted to the respondent authorities, they will conduct a survey of the land in question and thereafter remove the encroachments.

4. Recording the aforesaid submission made by learned



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counsel for respondents 1 to 4, the writ petition is disposed of with a direction to the respondent authorities to conduct a survey of the land in question with the assistance of the jurisdictional Surveyor and, if any encroachment is found, the same shall be removed after notice to the encroachers. The entire exercise is to be completed within a period of six 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.)
13.03.2023

Index : No
Neutral Citation : No
sasi

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

(sasi)

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