



W.P.No.19898 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2023

CORAM :

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

AND

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

W.P.No.19898 of 2023

P.Sheakespeare

.. Petitioner

Vs

- 1.The District Collector,
District Collectorate,
Ariyalur District.
- 2.The Thasildhar,
Udayarpalayam Taluk,
Ariyalur District.
- 3.The Block Development Officer (V.P)
Tha.Pazhur Panchayat Union,
Tha.Pazhur,
Ariyalur District.
- 4.The President,
Venmankondan Village Panchayat,
Tha.Pazhur Panchayat Union,
Udayarpalayam Taluk,
Ariyalur District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 2



W.P.No.19898 of 2023

to 4 to take appropriate action for removal of all encroachments made in the public roads in SF No.280/22 and 280/33 Venmankondan (West) Village, Udayarpalayam Taluk, Ariyalur District.

For the Petitioner : Mr.S.Kamadevan
For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by
Mrs.R.Anitha
Spl. Government Pleader
for respondents 1 to 3

ORDER

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

We have heard Mr.S.Kamadevan, learned counsel for the petitioner, and Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader for respondents 1 to 3.

2. A writ petition has been filed without impleading the person against whom the relief is claimed. Now, learned counsel for the petitioner submits that he will implead the said person as a party.



W.P.No.19898 of 2023

WEB COPY

3. Learned State Government Pleader submits that as far as Survey No.280/22 is concerned, the same is a cart path and S.No.280/23 is a lane. The land claimed by the petitioner as encroachment is extraneous land and it is included in the village records as a "Natham Vandipathi" and "Chandu". It is further submitted that one Karthikeyan of Venimankondan (West) Village had filed a petition to remove the encroachment in S.No.280/33. The said land was measured by the Surveyor and it was found that one Ramasamy's son Govindarasu of Venmankondan Village has encroached by constructing a toilet and wire fence. A court case is pending in the District Munsif Court at Jayakondan for claiming patta to S.No.280/33 classified as "Chandu" by Govindarasu. The said case is under trial.

4. It is further submitted that S.No.280/22 is a cart road. Learned State Government Pleader submits that steps would be taken to remove the encroachment in accordance with the provisions of law.



W.P.No.19898 of 2023

5. In view of the said statement, no further orders are required to be passed in this writ petition.

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

(S.V.G., CJ.)

(P.D.A., J.)

06.07.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi

To:

- 1.The District Collector,
District Collectorate,
Ariyalur District.
- 2.The Thasildhar,
Udayarpalayam Taluk,
Ariyalur District.
- 3.The Block Development Officer (V.P)
Tha.Pazhur Panchayat Union,
Tha.Pazhur,
Ariyalur District.



WEB COPY



W.P.No.19898 of 2023

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

(sasi)

W.P.No.19898 of 2023

06.07.2023