



W.P.No.13077 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.13077 of 2023

K.Masilamani

.. Petitioner

Vs.

1. The District Collector
Collectorate
Kellys Road, Navalpur
Ranipet 632 401.
2. The District Revenue Officer
Collectorate
Kellys Road, Navalpur
Ranipet 632 401.
3. The Revenue Divisional Officer
Collectorate
Kellys Road, Navalpur
Ranipet 632 401.
4. The Tahsildar
Arakkonam Taluk
Arakkonam.
5. Pichandi

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6. Dhanabackiam
7. Velayutham
8. Venkatesan

9. The Managing Trustee
M/s. Sri Senju Lakshmi Amman Temple
Narasinghapuram, Kavanur Village (Post)
Arakkonam Taluk
Ranipet District 631 004.

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 1 to 4 to remove the encroachments made by the respondents 5 to 9 in the common pathway for the public, comprised in Survey Nos.474/13 and 474/17 of Kavanur Village, leading to the petitioner's property in Survey No.223/9 of Kavanur Village.

For the Petitioner : Mr.B.Damodaran

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for Respondents 1 to 4

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner seeks a direction to the respondents 1 to 4 to remove the encroachments made by the respondents 5 to 9 in the



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common pathway for the public, comprised in Survey Nos.474/13 and 474/17 of Kavanur Village, leading to his property in Survey No.223/9 of Kavanur Village.

2. According to the petitioner, he owns land in S.Nos.474/16, 474/15, 223/9, Kavanur Village. The respondents 5 to 9 have encroached his land of an extent of 300 sq.ft. in S.No.223/9 and in S.Nos.474/7, 474/13 and 474/17, which is a common pathway used by the general public, under the guise of building a temple. The Adangal extract and FMB sketch show that the land in question is a pathway.

3. Mr.P.Muthukumar, learned State Government Pleader, submitted that the official respondents will remove the encroachments, if any, after conducting survey.

4. In view of the above submission, the writ petition is disposed of directing the official respondents to conduct a survey and if any encroachment is found, the same shall be removed after issuing notice



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to the encroachers. The entire exercise shall be completed within a period of four 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.)
28.04.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY,J

(kpl)

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