



W.P.No.13690 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2023

CORAM :

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

AND

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

W.P.No.13690 of 2023

S.Thiyagarajan

.. Petitioner

Vs

1.The District Collector,
Namakkal District.

2.The Thasildhar,
Rasipuram, Namakkal District.

3.The President,
Pachudaiyampalayam Panchayet,
Rasipuram Taluk,
Namakkal District.

4.Sengottuvel

5.Muthusamy

6.Natesan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 3 to remove the encroachment caused by the respondents 4 to 6 over the public road comprised in SF No.167/1, 172/5 and 177/5 at Tho. Pachudaiyampalayam Village, Rasipuram Taluk and Namakkal District.



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For the Petitioner : Mr.K.Sudhakar
for Mr.R.Nalliyappan

For the Respondents : Mr.J.Ravindran
Addl. Advocate General
assisted by
Mr.A.Selvendran
Spl. Government Pleader
for respondents 1 and 2

ORDER

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

Heard K.Sudhakar, learned counsel for the petitioner and Mr.J.Ravindran, learned Additional Advocate General, assisted by Mr.A.Selvendran, learned Special Government Pleader for respondents 1 and 2.

2. The petitioner alleges obstruction to his egress and ingress.

3. Learned counsel for the petitioner submitted that a representation has been made by the petitioner on 20.6.2022 to the third respondent requesting to survey the public road and to remove the encroachment.



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4. If the petitioner's way is obstructed, he has to approach the authorities under the Tamil Nadu Land Encroachment Act, 1905. The petitioner has to file an appropriate application for that purpose.

5. In case such application is filed, it is for the authorities to consider the same, of course considering the defences of the parties.

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

(S.V.G., C.J.) (P.D.A., J.)
01.06.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

- 1.The District Collector,
Namakkal District.
- 2.The Thasildhar,
Rasipuram, Namakkal District.
- 3.The President,
Pachudaiyampalayam Panchayet,
Rasipuram Taluk,
Namakkal District.



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THE HON'BLE CHIEF JUSTICE
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