



WEB COPY



WP No.21176 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2023

CORAM :

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

AND

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

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J.Maruthaipillai

.. Petitioner

-VS-

1. The District Collector,
Perambalur District.
2. The Revenue Divisional Officer cum
Appellate Authority for removal of
Encroachments, Perambalur.
3. The Tahsildar,
Alathur Taluk,
Perambalur District.

4. Muruganantham

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to consider the representation of the petitioner dated 29.03.2022 and thereby to remove the illegal encroachments made by the third parties on the common pathway leading to the petitioner's house within a time frame fixed by this Court.



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For the Petitioner : Mr.G.Ilamurugu
For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
Assisted by Mrs.R.Anitha,
Special Government Pleader,
for RR 1 to 3

* * * * *

ORDER

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

We have heard Mr.G.Ilamurugu, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader, for the official respondents.

2. The encroachment is alleged on the common pathway.

3. In the writ petition, we cannot conclude as to any encroachment on the pathway or otherwise. The petitioner has already approached the Appellate Commission/Revenue Divisional Officer, Perambalur, the second respondent, under the Government Order dated 04.12.2014. In case, such an application/appeal filed by the petitioner is pending with the second respondent (Page 52), then a

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decision shall be taken upon it on its own merits and in accordance with law and policy and adhering to the principles of natural justice expeditiously.

With this observation, the writ petition is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

19.07.2023

Index : yes/no
Neutral Citation : Yes/No
sra

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P.D.AUDIKESAVALU, J.

(sra)

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