



WP No.20230 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2023

CORAM

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

AND

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

WP No.20230 of 2023

K.Pari : Petitioner

versus

1.The District Collector, Dharmapuri

2.The Revenue Divisional Officer,
Harur, Dharmapuri District

3.The Tahsildar,
Pappireddipatty Taluk,
Dharmapuri District

4.Kennadi : Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing respondents 1 to 3 to remove the encroachment made by 4th respondent as found in S.Nos.77/2 to an extent of 0.53.5 hecatres in Devarajapalayam Village, Harur Taluk, Dharmapuri District, being a road.



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For the Petitioner : Mr.J.Pradeep
For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
Assisted by Mrs.R.Anitha, Spl.G.P.,
for respondents 1 to 3
For Respondent No.4 : Mr.R.Asokan

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.J.Pradeep, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader, for respondents 1 to 3 and Mr.R.Asokan, learned counsel for the fourth respondent.

2. Encroachment is alleged by the fourth respondent in S.No.77/2. Status report is filed by the Tahsildar stating that S.No.77/2 is a tar road and there is no encroachment on the said survey number.

3. There is word against word. It would not be possible to enter into the disputed question of fact in the present writ petition. No *mala fides* are alleged against the Tahsildar.



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4. In case the petitioner has any other remedy, the petitioner may avail the same. If the petitioner desires, the petitioner may file an application for measurement / survey.

5. The writ petition stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

05.09.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

To

- 1.The District Collector,
Dharmapuri
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Dharmapuri District



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