



WEB COPY



WP No.22210 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2023

CORAM :

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

AND

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

WP No.22210 of 2023

S.Lalitha

: Petitioner

versus

- 1.The State of Tamil Nadu,
rep. By its District Collector,
Thiruvarur District.
- 2.The Headmaster,
Panchayat Union High School,
Needamangalam, Thiruvarur District
- 3.The Block Development Officer,
Block Development Office,
Needamangalam, Thiruvarur District
- 4.The Tahsildar,
Needamangalam, Thiruvarur District
- 5.The President,
Needamangalam Panchayat Union
Needamangalam, Thiruvarur District

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the second respondent to remove all the illegal encroachment with the illegal construction on petitioner's property comprised in S.No.40/12 in Old Needamangalam village and Taluk, Thiruvarur District.

For the Petitioner : Mr.S.Balasubramanian

Page 1 of 4



WP No.22210 of 2023

For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for respondents 1, 3 and 4

ORDER

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

We have heard Mr.S.Balasubramanian, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader, for respondents 1, 3 and 4.

2. Learned counsel for the petitioner submits that the second respondent is encroaching upon the private property of the petitioner.

3. The petitioner maybe the owner of a particular property. Whether the encroachment exists or otherwise would be a matter of evidence. We do not have the measurement map also on record to even *prima facie* observe about the encroachment.

4. To protect her private property, the petitioner has a remedy before the civil Court. The petitioner may avail the remedy before the civil Court or such other forum as may be permissible under law. In



WP No.22210 of 2023

that event, all contentions are kept open.

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5. The writ petition stands disposed of. There will be no order as to costs. Consequently, WMP No.21597 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

31.07.2023

Index : Yes/No

Neutral Citation : Yes/No
tar

To:

- 1.The District Collector, Thiruvarur District.
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Needamangalam, Thiruvarur District
- 3.The Block Development Officer,
Block Development Office,
Needamangalam, Thiruvarur District
- 4.The Tahsildar,
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WEB COPY



WP No.22210 of 2023

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

(tar)

WP No.22210 of 2023

31.07.2023