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W.P.No.35206 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2023

CORAM :

**THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.35206 of 2022

Indian Union Muslim League
Vaniyambadi Town Wing
Rep. by its Secretary,
Gundu Mohamed Faizan .. Petitioner

Versus

1. The District Collector,
Tiruppathur District,
Collector Office,
Tiruppathur - 635 601.
2. The Thasildar,
Taluk Office,
Vaniyambadi - 635751,
Tiruppathur District.
3. The Assistant Engineer,
Public Works Department,
Islamiah College Road, New Town,
Vaniyambadi - 635752.
4. The Municipal Commissioner,
Municipal Office,
Islamiah College Road, New Town,
Vaniyambadi - 635752,



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Tiruppathur District.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus directing the respondents to take immediate steps on war foot level to remove the encroachment adjacent to the petitioner's property comprised at Vaniyambadi Town Jamath Road, Noorullahpet Ward - E, Block - 19 vide Survey No.506, 74.

For Petitioner : Mr.B.Ram Prasath

For Respondents : Mr.P.Muthukumar,
State Government Pleader

ORDER

D.BHARATHA CHAKRAVARTHY, J.

This Writ Petition is filed for a Mandamus directing the respondents to take immediate steps to remove the encroachment adjacent to the petitioner's property, comprised at Vaniyambadi Town, Jamath Road, Noorullahpet, Ward - E, Block - 19 in Old Survey No.506, Town Survey No.74.

2. When the Writ Petition came up for hearing, *Mr.P.Muthukumar*, learned State Government Pleader submitted a copy of his written instructions along with a copy of the Town Survey Register, in which, the



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Town Survey No.74, Old Survey No.506, is shown as "*manai*" belonging to a private society namely, one Anjuman Society, by its administrator.

3. In that view of the matter, no Mandamus would lie to remove the encroachment in a private property and accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

(T.R., ACJ.)

(D.B.C., J.)

03.01.2023

Index : yes/no

Speaking order

Neutral Citation : yes/no

grs

To

1. The District Collector,
Tiruppathur District,
Collector Office,
Tiruppathur - 635 601.
2. The Thasildar,
Taluk Office,
Vaniyambadi - 635751,
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4. The Municipal Commissioner,
Municipal Office,
Islamiah College Road, New Town,
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Tiruppathur District.

**T.RAJA, ACJ.,
AND
D.BHARATHA CHAKRAVARTHY, J.,**

grs

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