



WP No.29178 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.29178 of 2023

M.Sakthivel

.. Petitioner

-VS-

1. The District Collector,
Collectorate, Salem,
Salem District – 636 001.
2. The District Revenue Officer,
Collectorate, Salem,
Salem District – 636 001.
3. The Revenue Divisional Officer,
Sankagiri Division,
Salem District – 637 301.
4. The Tahsildar,
Edapadi Taluk,
Salem District – 637 101.
5. The Block Development Officer,
(Village Panchayat),
Konganapuram Block,
Edapadi Taluk,
Salem District – 637 102.



WP No.29178 of 2023

WEB COPY

6. The Inspector of Police,
Konganapuram Police Station,
Edappadi Taluk,
Salem District – 637 102.

7. K.Venkatachalam
8. K.Kandasamy
9. G.Perumal
10.R.Mani
11.P.Sakthivel
12.T.Ganesan
13.Paavayi
14.M.Pazhanimuthu
15.P.Muthusami
16.P.Rasathi

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 4th and 5th respondents to remove the illegal encroachments made by the 7th to 16th respondents on Common pathway, classified in Field Measurement Book, as Cart Track (Vandi Pathai), comprising in Survey Nos.157, 156, 155, 163, 164, 165 and 166 situated at Katchupalli Village, Edapadi Taluk, Salem District within Registration District of Salem, Sub-Registration District of Magudanchavadi within a stipulated time.

For the Petitioner	:	Mr.J.Agni Selvaraju
For the Respondent	:	Mrs.R.Anitha
	:	Spl. Govt. Pleader for RR 1 to 6
	:	No appearance for RR 7 to 9, 11, 12, 15 and 16
	:	Not ready in notice reg. RR 10, 13 & 14

* * * * *



WP No.29178 of 2023

WEB COPY

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.J.Agni Selvaraju, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader, for respondent Nos.1 to 6.

2. Encroachment is alleged on the common pathway. The Tahsildar has filed the status report stating that the writ land has been marked as cart track in the FMB. The same is used as public footpath except S.No.127/3B of Katchupalli Village. The status report further states that further action would be initiated in accordance with the directions of this Court.

3. The authorities need not wait for the directions of the Court. Under the law they are empowered to remove the unlawful encroachments by following due process of law. The respondent authorities shall evict the encroachers by adhering to the procedures as established by law.



WP No.29178 of 2023

WEB COPY

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

(S.V.G., CJ.)

(D.B.C., J.)

12.12.2023

Index : Yes/No

Neutral Citation : Yes/No

sra

To

1. The District Collector,
Collectorate, Salem,
Salem District – 636 001.
2. The District Revenue Officer,
Collectorate, Salem,
Salem District – 636 001.
3. The Revenue Divisional Officer,
Sankagiri Division,
Salem District – 637 301.
4. The Tahsildar,
Edapadi Taluk,
Salem District – 637 101.
5. The Block Development Officer,
(Village Panchayat),
Konganapuram Block,
Edapadi Taluk, Salem District – 637 102.



WP No.29178 of 2023

WEB COPY

6. The Inspector of Police,
Konganapuram Police Station,
Edappadi Taluk, Salem District – 637 102.



WEB COPY



WP No.29178 of 2023

THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sra)

WP No.29178 of 2023

12.12.2023