



W.P.No.221 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE  
AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY  
W.P.No.221 of 2023

V.Mani ... Petitioner

versus

1.The Revenue Divisional Officer,  
Revenue Divisional Office,  
Erode District 638 001

2.The Tahsildar,  
Modakkurichi Taluk Office,  
Erode District 638 104

3.The Inspector of Police,  
Malayampalayam Police Station,  
Erode District 638 104

4.S.Mahendran ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the second respondent to remove all the debris and encroachment made by the fourth respondent on the common pathway which leads to agricultural land situated in R.S.No.855/1, Punjai kalamangalam B Village, Modakkurichi Taluk, Erode District in terms of compliance with the office memorandum issued by the 1<sup>st</sup> respondent bearing Oo.Mu.No.3875/2022/A2 dated 17.08.2022 along with the aid and assistance of the third respondent expeditiously.



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For the Petitioner :: Mr.A.Sundaravadhanam

For the Respondents :: Mr.J.Ravindran,  
Additional Advocate-General  
assisted by Mr.A.Selvendran,  
Special Government Pleader  
for respondents 1 to 3

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition seeking issuance of a writ of mandamus directing the second respondent to remove all the debris and encroachment made by the fourth respondent on the common pathway which leads to agricultural land situated in R.S.No.855/1, Punjai Kalamangalam 'B' Village, Modakkurichi Taluk, Erode District, in terms of the office memorandum issued by the first respondent bearing Oo.Mu.No.3875/2022/A2 dated 17.08.2022, with the aid and assistance of the third respondent.

2. Learned Special Government Pleader appearing for respondents 1 to 3 submitted that the averments mentioned in the affidavit filed in support of the writ petition do not throw any light as to whether the encroachment made by the fourth respondent is in Government land or private land.



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3. We are also unable to find any such details in the affidavit.

Admittedly, there appears to be some civil dispute between the petitioner and the fourth respondent. In that case, the petitioner has to workout his remedy only before the competent forum.

4. The writ petition is therefore dismissed, giving liberty to the petitioner to workout his remedy in the manner known to law. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)  
05.01.2023

Index : Yes/No  
tar

To:

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

(tar)

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