



W.P.(MD) No.788 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2023

CORAM:

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

and

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

W.P.(MD) No.788 of 2023

P.Murugan

... Petitioner

-VS-

- 1.The District Collector
O/o the District Collector
Collectorate Campus,
Madurai District.
- 2.The Tahsildar (Madurai East)
O/o. the Madurai East Tahsildar
Collectorate Campus,
Madurai District
- 3.The Superintendent of Police,
O/o. the Superintendent of Police,
Azhagarkovil Road
K.Pudur,
Madurai.
- 4.N.Elango

... Respondents



W.P.(MD) No.788 of 2023

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PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus to direct the respondents 1 to 3 on the basis of petitioner's representation dated 22.12.2022 take action against the 4th respondent, who is illegally constructing house building in the common pathway situated at S.No.106/3 Kuruthur Village, Maathoor Post, Azhagarkovil Via, Madurai District within the time stipulated by this Court.

For Petitioners : Mr.D.Senthil

For Respondents : Mr.D.Sasikumar for R1 to R3
Additional Government Pleader
Mr.V.Saravanan for R4

ORDER

**[Order of the Court was made by
The Hon'ble The CHIEF JUSTICE]**

We have heard Mr.D.Senthil, learned counsel for the petitioner, Mr.D.Sasikumar, learned Additional Government Pleader for the respondent 1 to 3 and Mr.V.Saravanan, learned counsel for the 4th respondent.

2. The learned counsel for the petitioner submits that a common pathway exists in S.No.106/3 at Kuruthur and the same is being blocked by unauthorised construction of the respondent No.4.



W.P.(MD) No.788 of 2023

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4. The learned Additional Government Pleader also affirms that there is no common pathway in S.No.106/3.

5. In light of the aforesaid facts, the present writ petition appears to be misconceived. The writ petition stands dismissed. However, there is no order as to costs.

[S.V.G., CJ.]

[C.K. J.]

29.08.2023

NCC : Yes / No

Index : Yes / No

RR



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