



W.P(MD)No.710 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2023

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.710 of 2023
and
W.M.P(MD)No.711 of 2023**

S.Subramanian

... Petitioner

VS.

- 1.The District Collector,
Office of the Collector,
Madurai District.
- 2.The Divisional Engineer,
Highways Department,
Construction and Maintenance,
Alagarkovi Road,
Madurai District.
- 3.The Assistant Divisional Engineer,
Highways Department,
Construction and Maintenance,
Vadipatti Taluk,
Madurai District.
- 4.The Revenue Divisional Officer,
Office of the Revenue Divisional,
Vadipatti Taluk,
Madurai District.



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5.The Tahsildar,
Taluk Office,
Vadipatti Taluk,
Madurai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of the third respondent's impugned letter in Ka.No.6/2022/U, dated 29.12.2022 and quash the same as devoid of merits and consequently not to remove the petitioner's house property under the guise of encroachment situated in Door No.4/176, in Old No.22/4A in new Survey No.541/38 to an extent of 44 ares, Mullipallam Village, Solavandan, Vadipatti Taluk, Madurai by considering the petitioner's representation, dated 26.12.2022.

For Petitioner : Mr.S.Atham Ali

For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

Challenging the impugned letter in Ka.No.6/2022/U, dated 29.12.2022 issued by the third respondent, the petitioner has filed the present Writ Petition with a consequential direction not to remove the petitioner's house property under the guise of encroachment situated in Door No.4/176, in Old No.22/4A in new Survey No.541/38 to an extent of



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44 ares, Mullipallam Village, Solavandan, Vadipatti Taluk, Madurai by considering the petitioner's representation, dated 26.12.2022.

2.Today, when the matter is taken up for hearing, the learned Special Government Pleader appearing for the respondents submitted that though the aforesaid communication is an internal correspondence between the Assistant Divisional Engineer, Vadipatti and the Divisional Engineer, Madurai, the petitioner has filed this Writ Petition with an apprehension. Till date, no action has been taken by the respondents for removal of the encroachment. If any encroachment is made, the authority concerned will initiate action by following due process of law.

3.Recording the aforesaid submission of the learned Special Government Pleader, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

[D.K.K.,J.] [R.V.,J.]
11.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes

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D.KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

ps

ORDER MADE IN
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