



W.P.(MD) No.2963 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.2963 of 2023

Ananthi

... Petitioner

-Vs-

1.The District Collector,
Sivagangai, Sivagangai District.

2.The Revenue Divisional Officer,
Ram Nagar, Devakottai,
Sivagangai District.

3.The Tahsildar,
Karaikudi Taluk, Sivagangai District.

4.P.Raju

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to remove the encroachment made in the village road in Survey Nos.43-A & 38-A in Palaiyur Village, Palayur Group, Karaikudi Taluk, Sivagangai District, affecting ingress and egress to the

Page 1 of 4



W.P.(MD) No.2963 of 2023

petitioner's property in Survey No.39/36A and Survey No.39/36B in Palaiyur Village, Palayur Group, Karaikudi Taluk, Sivagangai District.

For Petitioner : Mr.B.Muruganandam
For R1 to R3 : Mr.M.Sarangan,
Additional Government Pleader

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition is filed for a direction to the official respondents to remove the encroachment made in the village road in Survey Nos.43-A & 38-A in Palaiyur Village, Palayur Group, Karaikudi Taluk, Sivagangai District, affecting ingress and egress to the petitioner's property in Survey Nos.39/36A and 39/36B in Palaiyur Village, Palayur Group, Karaikudi Taluk, Sivagangai District.

2.Mr.M.Sarangan, learned Additional Government Pleader takes notice on behalf of the respondents 1 to 3. Considering the nature of order proposed to be passed in this Writ Petition, notice to the 4th respondent is dispensed with.

Page 2 of 4



W.P.(MD) No.2963 of 2023

WEB COPY

3.By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4.The learned Additional Government Pleader appearing for the respondents 1 to 3 has produced a copy of Adangal extract before this Court and submitted that the land in Survey No.39/38A belongs to one Vellaichamy and the land in Survey No.39/43A belongs to one Soma.Valliammai and four others and patta also granted in favour of them.

5.In the light of the aforesaid submission, we are of the considered view that the issue involved in the present Writ Petition is purely civil in nature. Therefore, the same cannot be adjudicated in this Writ Petition. Accordingly, this Writ Petition stands dismissed. No costs.

[D.K.K., J.] & [L.V.G., J.]

14.02.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

MYR

Page 3 of 4



WEB COPY



W.P.(MD) No.2963 of 2023

D.KRISHNAKUMAR, J.

AND

L.VICTORIA GOWRI, J.

MYR

To

- 1.The District Collector,
Sivagangai, Sivagangai District.
- 2.The Revenue Divisional Officer,
Ram Nagar, Devakottai,
Sivagangai District.
- 3.The Tahsildar,
Karaikudi Taluk, Sivagangai District.

W.P.(MD)No.2963 of 2023

14.02.2023

Page 4 of 4