



W.P.(MD) No.3284 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MRS.JUSTICE L.VICTORIYA GOWRI

W.P.(MD)No.3284 of 2023

V.Kannan

... Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Collectorate, Madurai.
- 2.The Tahsildar,
Thirupparankundram Taluk,
Madurai.
- 3.The Commissioner,
Thirupparankundram Panchayat Union,
Thirupparankundram,
Madurai – 625 005.



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4.The President,
Valayankulam Panchayat,
Valayankulam,
Thirupparankundram Taluk,
Madurai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove all the encroachments made in East Street bearing Survey No.112 and also other streets in Valayankulam Village, Thirupparankundram Taluk, Madurai District.

For Petitioner : Mr.G.Rajaraman

For Respondents : Mr.V.Nirmal Kumar,
Government Advocate for R1 & R2

Mr.M.Sarangan,
Addl. Govt. Pleader for R3 & R4

ORDER

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

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to remove all the encroachments made in East Street



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2. By consent, this Writ Petition is taken up for final disposal.

3. The learned Government Advocate appearing for the respondents 1 and 2 has placed a copy of the revenue document, in which patta in S.No.112-1A stands in the name of the individuals. He further submitted that the petitioner has been wrongly mentioned the survey number as 112 instead of 212 and therefore, this Writ Petition is liable to be dismissed.

4. Refuting the said claim, the petitioner has not placed any supporting materials to show that the property in question has been encroached, except he has made a representation on 20.06.2022 to the first respondent.

5. In view of the above, the petitioner has not made out a case and therefore, this Writ Petition is liable to be dismissed. Accordingly, this Writ



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Petition is dismissed with liberty to the petitioner to approach the authority concerned for removal of encroachment either in S.No.212 or any other survey number in the said locality. No costs.

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

20.02.2023

NCC : Yes / No
Index : Yes / No
vsm



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