



W.P.(MD)No.5137 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 13.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.5137 of 2021

and

W.M.P.(MD)No.4125 of 2021

S.Selvakumar

... Petitioner

vs.

1.The District Collector,
Tuticorin, Tuticorin District.

2.The District Revenue Officer,
District Revenue Office, Tuticorin, Tuticorin District.

3.The Superintendent of Police,
District Police Office, Tuticorin, Tuticorin District.

4.The Tahsildar, Ottapidaram Taluk Office,
Ottapidaram, Tuticorin District.

5.The Block Development Officer,
Block Development Office,
Ottapidaram Taluk, Tuticorin District.

6.The Panchayat President,
Kodiyankulam Panchayat, Kodiyankulam,
Ottapidaram Taluk, Tuticorin District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to take appropriate action on the petitioner's representation dated 13.09.2020 and direct the 4th, 5th and 6th respondents to remove all kind of the encroachments from the Agricultural Land of the above affected persons and Laying Dharr Road in the very same Agricultural Land in Tuticorin District, Ottappidaram Taluk, Kodyankulam Village in Survey Nos.73, 74, 75, 76, 77 and 82 (including the Sub-Divisions of all the above Survey Numbers).

For Petitioner :Mr.C.Baskaran
For Respondents :Mr.A.K.Manikkam
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the respondents 4, 5 and 5 to consider the representation made by the petitioner on 13.09.2020 and to remove the encroachments from the agricultural lands belonging to the petitioner in the subject property.

2.The grievance of the petitioner is that in the guise of laying road, the agricultural lands belonging to the petitioner has been encroached.



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Therefore, a representation was made to remove the encroachments and since the same was not considered, the present Writ Petition has been filed before this Court.

3. When the matter was taken up for hearing, the learned Special Government Pleader produced the relevant records before this Court. The learned Special Government Pleader also produced the written instructions that has been received from the Tahsildar. On going through the same, it is seen that the road has been laid only in the property, that has been categorised as pathway. It is further stated by the Tahsildar that this road has been laid in order to enable the persons living in and around the village to utilise the same to access their property.

4. In the light of above submissions and the records that has been placed before this Court, the relief sought for by the petitioner cannot be granted by this Court and hence, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes/No

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N.ANAND VENKATESH, J.

cmr

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