



W.P.(MD) No.8275 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R. SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.8275 of 2023
and
W.M.P.(MD) No.7619 of 2023**

L.Lakshmanan

... Petitioner

-VS-

- 1.The District Collector,
Virudhunagar Collectorate Campus,
Virudhunagar District.
- 2.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.
- 3.The Tahsildar,
Tiruchuli District,
Virudhunagar District.
- 4.The Block Development Officer,
Office of the Block Development Officer,
Narikudi, Virudhunagar District.
- 5.The Village President,
Pillaiyarnatham Village Panchayat,
Narikudi Panchayath Union,



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Tiruchuli Taluk,
Virudhunagar District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus by restraining the respondents or their men, or agents or anybody authorized by them from laying the New Road on the Cart Path abutting existing Thar Road in Survey No.126/8, Panaiyur Village, Pillaiyarnatham Panchayat, Narikudi Panchayat Union, Tiruchuli Taluk, Virudhunagar District.

For Petitioner : Ms.E.M.Kanimozhi
For RR1 to 3 : Mr.P.T.Thiraviyam
Government Advocate
For RR4 & 5 : Mr.V.Nirmal Kumar
Government Advocate

ORDER

[Order of the Court was made by R. SUBRAMANIAN, J.]

The prayer in the writ petition reads as follows:

“For the reason stated in the accompanying affidavit, the petitioner prays that this Hon'ble Court may be to issue Writ of Mandamus or any other writ or appropriate writ, order or directions by restraining the respondents or their men, or agents or anybody authorized by them from laying the new road on the cart path abutting the existing thar road in Survey No.126/8, Panaiyur



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*Village, Pillaiyarnatham Panchayat, Narikudi Panchayat Union,
Tiruchuli Taluk, Virudhunagar District.”*

2. Mr.P.T.Thiraviyam, learned Government Advocate appearing for respondents 1 to 3 would submit that there is no proposal to lay the road in the cartrack as apprehended by the petitioner. The petitioner, who had encroached upon the cartrack, was required to remove the encroachment and has also removed the encroachment. Therefore, the very writ petition is misconceived.

3. Recording the statement of the learned Government Advocate for respondents 1 to 3, that there is no proposal to lay a road in Survey No.126/8, Panaiyur Village, Pillaiyarnatham Panchayat, Narikudi Panchayat Union, Tiruchuli Taluk, Virudhunagar District, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.] [L.V.G., J.]
12.04.2023

NCC : Yes
Index : Yes
Internet : Yes
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R. SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

abr

To

- 1.The District Collector,
Virudhunagar Collectorate Campus,
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- 3.The Tahsildar,
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