



W.P(MD)No.15963 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE D.BHARTHA CHAKRVARTHY**

W.P(MD)No.15963 of 2023

M.Chellapappu

... Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The Tahsildar,
Lalgudi Taluk,
Trichy District.

3.The Block Development Officer,
Pullampadi Union Office,
Opp. Government Hospital,
Pullampadi Post,
Lalgudi Taluk,
Trichy District.

4.The Panchayat President,
Panchayat Office,
M.Kannanur, Lalgudi Taluk,
Trichy District.

5.Muthusamy
6.Kandhasamy
7.Karuppaiah

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment such as pillar stone put up by the 5th to 7th respondents in Survey No.198, Common Pathway with public lane situated at Ladanendal Village, Thirupuvanam Taluk, Sivagangai District on the basis of the petitioner's representation dated 13.02.2022 within the time stipulated by this Court.

For Petitioner	:Mr.C.Abdul Kalam Azad
For R-1 & R-2	:Mr.P.Thilak Kumar, Government Pleader
For R-3	:Mr.M.Lingadurai, Special Government Pleader

ORDER

(Order of the Court was made by S.VAIDYANATHAN, J.)

The petitioner has come forward with this writ petition seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 4, to remove the encroachment such as pillar stone put up by the respondents 5 to 7 in Survey No.198, Common Pathway with public lane situated at Ladanendal Village, Thirupuvanam Taluk, Sivagangai District, on the basis of the petitioner's representation, dated 13.02.2022, within a stipulated time.

2. When the matter is taken up for hearing today, the learned Government Pleader appearing for the respondents would submit that survey has been



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conducted and the Revenue Tahsildar, Lalgudi, has also submitted a report stating that there is no encroachment. A copy of the A-Register has also been produced to show that the property in Survey No.198 of Ladanendal Village, Thirupuvanam Taluk, Sivagangai District, is a Sarkar Poramboke and there is no encroachment.

3. Recording the said submission, the plea of the petitioner is rejected. Therefore, the writ petition stands dismissed. However, a perusal of the photographs produced would show that debris/construction materials have been placed partially on the road causing hindrance to the pedestrians and motorists. We expect the authorities to inform the owner of the building to remove the materials forthwith without causing hindrance for road traffic. No Costs.

[S.V.N.,J.] [D.B.C.,J.]
03.07.2023

Index:Yes/No
NCC:Yes/No

PM



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Trichy District.
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Trichy District.



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S.VAIDYANATHAN, J.

AND

D.BHARATHA CHAKRVARTHY, J.

PM

ORDER MADE IN

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03.07.2023