



W.P(MD)No.11402 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.05.2023

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI
AND**

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.11402 of 2023

and

W.M.P.(MD)No.9888 of 2023

A.Marirajan

... Petitioner

Vs.

- 1.The District Collector,
Tenkasi District.
- 2.The District Revenue Officer,
Tenkasi District.
- 3.The Revenue Divisional Officer,
District Collectorate Campus,
Tenkasi District.
- 4.The Tahsildar,
Alankulam Taluk,
Tenkasi District.
- 5.The Inspector of Police,
V.K.Pudur Police Station,
Tenkasi District.
- 6.The President,
Kattupava Jumma Masjid,



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Kazhuneerkulam,
Alangulam Taluk.

... 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, to direct the respondents 1 to 5 to remove the illegal encroachment in public pathway by way of constructing the compound wall by the sixth respondent as illegally in S.No.565/1 situated at Kazhuneerkulam Revenue Village, Alangulam Taluk, Tenkasi District.

For Petitioner :Mr.K.Dinesh

For Respondents :Mr.D.Gandhiraj
Special Government Pleader for R1 to R5
: Ms.H.Jasimayasmin
for M/s.Ajmal Associates for R6

ORDER

(Order of the Court was made by M.DHANDAPANI,J)

The writ petition has been filed for directing the respondents 1 to 5 to remove the illegal encroachment in public pathway by way of constructing the compound wall by the sixth respondent as illegally in S.No.565/1 situated at Kazhuneerkulam Revenue Village, Alangulam Taluk, Tenkasi District.

2. The learned counsel appearing for the petitioner would submit that the petitioner is a resident of Kazhuneerkulam Village, in which, the



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6th respondent occupied a portion of the pathway situated in S.No.565/1.

Therefore, the petitioner has sent a detailed representation to the respondents on 01.05.2023. Since no action was taken, the present writ petition has been filed.

3. This Court ordered notice to the respondents. Pursuant to the notice issued by this Court, the learned Special Government Pleader appearing for the respondents would submit that the Tahsildar with the help of the town surveyor conducted survey in Survey No.565/1 and he has also filed a report to that effect. The said report reveals that no encroachment was made either by the 6th respondent or any other person.

4. In view of the above, the Writ Petition is disposed of. However, the Tahsildar, Alankulam Taluk, Tenkasi District is directed not to allow any encroachment in Survey No.565/1. No costs. Consequently, connected miscellaneous petition is closed.

[M.D.I.,J.] [R.V.,J.]
05.05.2023

Index: Yes/No
Internet: Yes/No
rmi/TA



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M.DHANDAPANI, J.

AND

R.VIJAYAKUMAR, J.

rmi/TA

ORDER MADE IN

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05.05.2023