



W.P(MD)No.13683 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P(MD)No.13683 of 2023

Johnbritto

... Petitioner

-VS-

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Thasildar,
Srivilliputhur,
Virudhunagar District.

3.The Municipality Commissioner,
Srivilliputhur Municipality,
Virudhunagar District.

4.Jeyaram

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to complete the proceedings in its ~~W.P.No.13683 of 2023~~ **W.P.No.13683 of 2023** dated 10.10.2022 and consequently, remove the encroachment at Survey No. is T.S.No.2186, Seeniyapuram, Srivilliputhur Taluk, Virudhunagar District on the basis of the petitioner's representation dated 04.05.2023 within a stipulated time as fixed by this Hon'ble Court.



WEB COPY



W.P(MD)No.13683 of 2023

For Petitioner : Ms.A.Dharani
For Respondents 1 & 2 : Mr.S.P.Maharajan
Special Government Pleader
For 3rd Respondent : Mr.P.Thilakkumar
Government Pleader
For 4th Respondent : No appearance

ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, to direct the official respondents to complete the proceedings in its ~~W.P.(MD)~~ **1/4262/2022**, dated 10.10.2022, and consequently, to remove the encroachment at T.S.No.2186, Seeniyapuram, Srivilliputhur Taluk, Virdhunagar District, on the basis of the petitioner's representation dated 04.05.2023 within a time frame.

2. The petitioner himself admits that the name of the fourth respondent is wrongly shown as Jeyaram, even though the real name of alleged encroacher is one S.Sethuram. It is also on record that the alleged encroacher has filed a petition to implead himself as a party. Despite receipt of notice of W.M.P.(MD) No.16566 of 2023 to implead the said Sethuram, the petitioner did not bother to correct the name of the fourth respondent.



W.P(MD)No.13683 of 2023

3. The Writ Petition is therefore, dismissed for non-joinder of necessary party. However, liberty is given to the petitioner to file a Writ Petition impleading the said Sethuram. No costs.

[S.S.S.R, J.]

[D.B.C., J.]

01.09.2023

Index : Yes / No
Neutral Citation : Yes / No
sj

To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Thasildar,
Srivilliputhur,
Virudhunagar District.



WEB COPY



W.P(MD)No.13683 of 2023

S.S.SUNDAR, J.
and
D.BHARATHA CHAKRAVARTHY, J.

sj

W.P(MD)No.13683 of 2023

01.09.2023