



WEB COPY

W.P.(MD) No.17037 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.10.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD) No.17037 of 2023

Periyasamy

... Petitioner

-VS-

1.The District Collector
Tiruchirappalli

2.The Tasildhar
Mannachannallur
Trichy District

3.The Block Development Officer
Mannachannallur Panchayat Union
Tiruchirappalli District

4.Nandhakumar

5.Dharmalingam
[R4 & R5 are impleaded vide Court
order dated 04.08.2023 in W.M.P.
(MD) No.14610 of 2023]

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to remove the encroachments on the cart track running in Kattukulam Village S.F.No.149/9 and 121/1 in Mannachannallur Taluk, Trichy District.

For Petitioner : Mr.S.Muthukrishnan

For Respondents : Mr.T.Amjad Khan
Government Advocate for R1 to R3
No appearance for R4 & R5

ORDER

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

The relief sought for in this writ petition is to direct the respondents 1 to 3 to remove the encroachments made by the respondents 4 & 5 on the cart track running in S.F.Nos.149/9 and 121/1 of Kattukulam Village, Mannachannallur Taluk, Trichy District.

2. The petitioner states that the Government lands classified as “Tharisu” and “Cart Track” are encroached upon by the respondents 4 and 5. Thus, the petitioner and other villagers are prevented from utilizing the cart track for reaching their agricultural lands.



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3. With reference to the complaint raised by the petitioner, the Revenue Tahildar, Mannachannallur, addressed a letter dated 15.07.2023 to the Government Pleader stating that a field inspection was conducted with reference to the revenue records and there is no encroachment in the subject land as alleged by the petitioner and the cart track is being used by the people of that locality commonly. A photograph and revenue records are also enclosed along with the said letter.

4. In view of the said letter, we do not find any reason to consider the relief as such sought for in this writ petition. Accordingly, this writ petition is dismissed. No costs.

[S.M.S., J.]

[V.L.N., J.]

03.10.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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