



W.P.(MD)No.18226 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :28.07.2023

CORAM:

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

W.P(MD)No.18226 of 2023

R.Chandrasubramanian

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Revenue Divisional Officer,
Tenkasi District,
Tenkasi.

3.The Thasildar,
Alangulam Taluk,
Tenkasi District.

4.The Inspector of Police,
Uthumalai Police Station,
Tenkasi District.

5.Marimuthu

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondent Nos.3 and 4 to remove the encroachment which was illegally made by the respondent



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No.5 in S.No.293/5, 293/5A, 293/5B situated at Muthammalpuram Village, V.K.Pudur Taluk, Tenkasi District on the basis of the petitioner's representation dated 16.07.2023.

For Petitioner	:Mr.A.B.Jeeva
For R-1 to R-3	:Mr.D.Sachikumar, Additional Government Pleader
For R-4	:Mr.M.Veeranthiran, Government Advocate

ORDER

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

Heard Mr.A.B.Jeeva, learned counsel for the petitioner, Mr.D.Sachikumar, learned Additional Government Pleader for respondents 1 to 3 and Mr.M.Veeranthiran, learned Government Advocate for the fourth respondent.

2. This writ petition has been filed seeking for issuance of a Writ of Mandamus directing the respondent Nos.3 and 4 to remove the encroachment which was illegally made by the fifth respondent in S.Nos.293/5, 293/5A, 293/5B situated at Muthammalpuram Village,



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V.K.Pudur Taluk, Tenkasi District on the basis of the petitioner's representation, dated 16.07.2023.

3. The petitioner has filed this 'Public Interest Litigation' seeking for a direction to remove the encroachment made in a private land in which he is claiming title. This cannot be entertained as a 'Public Interest Litigation'. It is open to the petitioner to establish his right before the civil Court seeking appropriate relief as against the encroacher.

4. Granting such liberty, this writ petition is dismissed.

No Costs.

[S.S.S.R., J.] [D.B.C., J.]
28.07.2023

Index : Yes / No
NCC : Yes/No

pm



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