



W.P.(MD)No.8092 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2023

CORAM:

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF
JUSTICE
and
THE HONOURABLE Mrs.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.8092 of 2018
and WMP(MD) No. 7677 of 2018**

P.Mohideen Abdul,

... Petitioner

Vs

1. The Executive Officer,,
Ervadi I-Grade Town Panchayat,
Nanaguneri, Tirunelveli District..

2. The Thasildhar,,
Nanguneri Taluk,
Tirunelveli District..

3. Mohammed Kathija,,
S/o.Meeran Mohideen,
No.80/228a, 6th Street,
Ervadi, Nanguneri Taluk,
Tirunelveli District..

4. Mohammed Aamina,,
S/o.Meeran Mohideen,
No.80/228a, 6th Street,
Ervadi, Nanguneri Taluk,



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Tirunelveli District..

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to remove the encroachment made by the 3rd respondent in the 6th Street situated in S.No.17/214 Ervadi, Nanguneri Taluk, Tirunelveli District

For Petitioner : Mr.H.Arumugam

For Respondent: Mr.S.P.Maharajan for R1 and R2
Special Government Pleader
Mr.D.Nallathambi for R3 and R4

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

We have heard the learned counsel for the petitioner, learned Special Government Pleader for the respondents 1 and 2 and the learned counsel for the respondents 3 and 4.

2. The learned counsel for the respondents 3 and 4 submits that the construction is carried out by the respondents 3 and 4 strictly in S.No.17/214 owned by the respondents 3 and 4. No



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construction has been made on the street.

3. The learned Government Pleader submits that survey was made. Some encroachments was noticed on the street and if the respondents 3 and 4 failed to remove the encroachment, then further action would be initiated.

4. The respondents 1 and 2 may conduct the survey in the presence of the parties. Pursuant to the survey report, the parties may take further steps in accordance with law. The survey shall be conducted preferably within three months from today.

5. The writ petition stands disposed of accordingly. However, there is no order as to costs. Consequently connected Miscellaneous Petition is closed.



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[S.V.G., .C.J.]

[L.V.G., J.]

30.11.2023

Index : Yes / No
Neutral Citation : Yes / No
RR

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Nanaguneri, Tirunelveli District..

2. The Thasildhar,,
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THE HONOURABLE CHIEF JUSTICE
and
L.VICTORIA GOWRI, J.

RR

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