



WEB COPY

W.P.(MD) No.18745 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.18745 of 2023

V.Subbulakshmi

... Petitioner

-vs-

- 1.The District Collector
O/o.The District Collector
Virudhunagar District
Virudhunagar
- 2.The Revenue Divisional Officer
O/o.The Revenue Divisional Officer
Virudhunagar
Virudhunagar District
- 3.The Tahsildar
O/o.The Tahsildar
Virudhunagar
Virudhunagar District
- 4.The Village Administrative Officer
Meesalur Village
Virudhunagar District



W.P.(MD) No.18745 of 2023

WEB COPY

5.The Inspector of Police
Soolakarai Police Station
Virudhunagar District

6.Sethulakshmi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 5 to remove the encroachment made in public pathway in Survey No.913/14, situated at Meesalur Village, Virudhunagar Taluk, Virudhunagar District, by the sixth respondent in pursuance of the proceedings initiated by the third respondent vide O.Mu.Aa1/6371/2021, dated 15.12.2021.

For Petitioner : Mr.D.Shanmugaraja Sethupathi

For Respondents : Mr.T.Amjad Khan
Government Advocate for R1 to R5
Mr.M.Jothibasur for R6

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 5 to remove the encroachment made by the sixth respondent in the public pathway in Survey No.913/14 of Meesalur Village, Virudhunagar Taluk, Virudhunagar District.



W.P.(MD) No.18745 of 2023

WEB COPY

2. Learned counsel for the petitioner states that though the Tahsildar / third respondent conducted a field survey and addressed a letter to the Block Development Officer, Virudhunagar, stating that the pathway in Survey No.913/14 is under encroachment, no further action was initiated and therefore, the petitioner is constrained to file this writ petition.

3. Learned Government Advocate appearing for the respondents 1 to 5, on instructions submitted that encroachment in that particular locality was confirmed by conducting a field survey and subsequently actions have been initiated by issuing notice to the encroachers and all appropriate actions will be taken to remove the encroachment and to make the pathway free for the usage of the public at large.

4. In view of the said statement, the respondents 1 to 5 are directed to proceed with the actions already initiated, comply with the procedures and accordingly remove the encroachments and protect the pathway for the benefit of the people of that locality.



WEB COPY



W.P.(MD) No.18745 of 2023

5. With the above direction, this writ petition is disposed of. 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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To:

- 1.The District Collector,
O/o.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Virudhunagar,
Virudhunagar District.
- 3.The Tahsildar,
O/o.The Tahsildar,
Virudhunagar,
Virudhunagar District.
- 4.The Village Administrative Officer,
Meesalur Village,
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W.P.(MD) No.18745 of 2023

WEB COPY

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V.LAKSHMINARAYANAN, J.

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