



W.P(MD)No.13008 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13008 of 2015

and

M.P(MD)No.1 of 2015

S.Gurusamy

... Petitioner

Vs

- 1.The District Collector,
Tirunelveli.
- 2.The District Revenue Officer,
Tirunelveli District.
- 3.The Tahsildar,
Ambasamudram Taluk,
Tirunelveli District.
- 4.The Block Development Officer,
Panchayat Union Office,
Rengasamutharam Panchayat,
Ambasamudram Taluk,
Tirunelveli District.
- 5.The President,
Rengasamutharam Village Panchayat,
Ambasamudram Taluk,
Tirunelveli District.



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6.The Inspector of Police,
Papagudi Police Station,
Ambasamudram Taluk,
Tirunelveli District.

7.Mariyappan

8.Subramaniyan

9.Murugan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachment made by the respondents 7 & 9 in pathway situated in front of the petitioner's house in S.F.No.582/30 of Rengasamutharam Village, Ambasamutharam Taluk, Tirunelveli District and forbear the respondents 7 to 9 from raising compound wall by obliterating the road situated in S.F.No. 582/30 of Rengasamutharam Village, Ambasamutharam Taluk, Tirunelveli District.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.N.GA.Nataraj
Government Advocate
for R.1 to R.6

Mr.K.P.Narayanakumar for R.7 to R.9

ORDER

Heard the learned counsel on either side.

2. The grievance of the petitioner is that the private respondents have committed encroachment on a public pathway.



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3. When the matter was taken up for hearing, the learned Government Advocate clarified that a compound wall has been put up around one local temple. The land itself has been classified as “Temple Poramboke”. He would also further clarified that between the compound wall and the petitioner's house there is 12 feet wide pathway is running. I am satisfied no case for demolition has been made out.

4. This writ petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

26.07.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

1.The District Collector,
Theni District,
Theni.

2.The Revenue Divisional Officer,
Periyakulam,
Theni District.

3.The Tahsildar,
Aandipatti Taluk,
Theni District.



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G.R.SWAMINATHAN, J.

MGA

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