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W.P.(MD)NO.2969 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.2969 of 2015

P.Sethuraman

... Petitioner

Vs.

1. The District Collector,
Collectorate Campus,
Madurai – 20.

2. The Revenue Divisional Officer,
Madurai – 20.

3. The Tahsildar,
Melur Taluk,
Melur, Madurai District.

4. Kasimayan

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to remove the encroachment done by the 4th respondent in public pathway bearing Survey No. 261/2 B4.

For Petitioner : Mr.M.Selvendran

For R- to R-3 : Mr.S.Shanmugavel,
Additional Government Pleader.

For R-4 : Mr.M.Kaliraj

* * *

**ORDER**

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Heard the learned counsel on either side.

2. The petitioner wants the petition-mentioned encroachment to be removed.

3. On instructions from the official respondents, the learned Additional Government Pleader states that survey No.261/2 B4 has been classified as pathway in the revenue record.

4. It is well settled that encroachments on public pathway cannot be permitted. The third respondent is directed to issue notice to the fourth respondent and cause removal of the encroachments from the public pathway. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition stands disposed of accordingly. All the other contentions of the fourth respondent are left open. No costs.

11.07.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU



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To:

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Madurai – 20.
2. The Revenue Divisional Officer,
Madurai – 20.
3. The Tahsildar,
Melur Taluk,
Melur, Madurai District.



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G.R.SWAMINATHAN,J.

PMU

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