



W.P.(MD)No.14313 of 2018

WEB COPY 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.14313 of 2018 and
WMP(MD) No.15409 of 2018**

N.Jeyaprakash,

... Petitioner

Vs

1. The District Collector,
Madurai District,
Madurai..

2. The Executive Officer,
Vadipatti Panchayat Union, Vadipatti,
Madurai District..

3. Chellammal,
W/o. Veerappan Servai, Sadayandi Kovil
Street, Kulasekarankottai, Vadipatti
Taluk, Madurai District..

... Respondents



W.P.(MD)No.14313 of 2018

WEB COPY

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to remove the encroachment made in Sy.No.578/21, in Kulasekarankottai village, Vadipatti Taluk, Madurai District by considering the representation dated 29.01.2018.

For Petitioner : M/s.P.Jessi Jeeva Priya
For Respondent: Mr.T.Amjad Khan for R1
Government Advocate

ORDER

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

We have heard the learned counsel for the petitioner and learned Government Advocate for the respondent No.1.

2. The learned counsel for the petitioner submits that the petitioner already has a decree in his favour. If the petitioner has



W.P.(MD)No.14313 of 2018

a decree in his favour, then the petitioner has to execute the decree and not to file a writ petition for execution of the decree.

3. If there is an encroachment on the public pathway, then, it is for the Government authorities to consider the same.

4. With this observation, the writ petition stands disposed of. However, there is no order as to costs. Consequently connected Miscellaneous Petition is closed.

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

[L.V.G., J.]

30.11.2023

Index : Yes / No

Neutral Citation : Yes / No

RR



W.P.(MD)No.14313 of 2018

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W.P.(MD)No.14313 of 2018

THE HONOURABLE CHIEF JUSTICE
and
L.VICTORIA GOWRI, J.

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W.P.(MD)No.14313 of 2018

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