



W.P.(MD)No.16314 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.09.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.16314 of 2017
and
W.M.P.(MD)No.12989 of 2017

S.Sathavoo Chettiar

... Petitioner

Vs.

1.The District Collector,
Dindigul District.

2.The Revenue Divisional Officer,
Dindigul District.

3.The Tahsildar,
Taluk Office, Dindigul.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order in Na.Ka.No.7794/2013/A3, dated 10.01.2017 passed by the second respondent and quash the same and further, direct the respondents to remove the encroachment in S.No.131 of Jothampatty Village, Dindigul District.



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For Petitioner : No appearance

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

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ORDER

The petitioner was present in person on the last occasion. We passed the following order on 22.08.2023:-

“The learned Additional Government Pleader on instructions from the jurisdictional Tahsildar as well as the Village Administrative Officer submits that from the petitioner's house, he can reach his agricultural lands through two alternative pathways. One of which is 20 feet wide while the other is 15 feet wide. The Village Administrative Officer shall physically show both the pathways to the writ petitioner. The petitioner and the Village Administrative Officer shall coordinate between themselves.”

2. Today, when the matter was taken up for hearing, the learned Additional Government Pleader submitted that the order passed by this Court has been complied with in letter and spirit. Shri.Richard Arockiam/ jurisdictional VAO informed the Court that he personally showed the available pathway to the petitioner and that a tractor was also plied across. The photographs have been produced before this Court.



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3. We are satisfied that the petitioner's pathway rights have been adequately protected. The petitioner can very well reach his agricultural land through the petition mentioned Odai. We also direct the respondents to ensure that no further encroachment takes place.

4. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [B.P., J.]
04.09.2023

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