



W.P(MD)No.28491 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2023

CORAM

THE HONOURABLE **MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.28491 of 2022

and

W.M.P(MD)No.22499 of 2022

Palaniappa Pasana Paribalana Sabai,
Ward-5, Big Street,
Palanichettipatti,
Theni District,
Represented by its Secretary,
T.Thinakaran

... Petitioner

Vs.

1.The District Collector,
Theni District.

2.The Assistant Director,
Regional Town Panchayat Office,
Theni.

3.The Tahsildar,
Theni Taluk,
Theni District.

4.The Executive Officer,
Palanichettipatti Town Panchayat,
Palanichettipatti,
Theni District.

... 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 3 herein to



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remove the encroachment made by fourth respondent into the 9 feet common road on the south of office premises of fourth as per gift deed, dated 07.02.1981 vide Doc.No.322/1981 offered for construction office premises by petitioner's member and consequently direct the respondents 1 to 4 herein to restore the said 9 feet common road on the south of office premises of fourth respondent free from encroachment for passage to the petitioner's members and users to reach Manimandapam of Kundappan Chettiar, father of the donor of fourth respondent office premises for doing their daily service and other regular activities.

For Petitioner : Mr.K.Appadurai
For R-1 to R-3 : Mr.M.Siddharthan
Additional Government Pleader
For R-4 : Mr.N.Satheeskumar
Additional Government Pleader

ORDER

Heard the learned Counsel on either side.

2. The allegations made by the writ petitioner have been denied by the fourth respondent. The learned Additional Government Pleader on written instructions from the fourth respondent clarifies that the key in respect of the Manimandapam in question is very much with the petitioner's staff and that the fourth respondent is not obstructing anyone from accessing the Manimandapam. Recording the said submission of the learned Additional



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Government Pleader, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

12.01.2023

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

To

- 1.The District Collector,
Theni District.
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Theni.
- 3.The Tahsildar,
Theni Taluk,
Theni District.
- 4.The Executive Officer,
Palanichettipatti Town Panchayat,
Palanichettipatti,
Theni District.



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G.R.SWAMINATHAN, J.

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