



W.P(MD)No.26504 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26504 of 2023

Rasathi

... Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Sivagangai, Sivagangai District.

3.The Thasildhar,
Thirupuvanam Taluk,
Sivagangai District.

4.A.Moorthy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, the respondents No.1 to 3 not to allow any construction of the cart track in Sy. No.134, Enathi - Theli Village, Thiruppuvanam Taluk and Sivagangai District ensure the petitioner free ingress and egress to the petitioner's house.



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For Petitioner : Mr.R.Balakrishnan

For Respondents : Mr.V.Nirmal Kumar,
Government Advocate for R1 to R3.

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 1 to 3.

2.It is not in dispute that the petition mentioned survey number has been classified as “cart track” in the revenue record. Construction cannot be permitted on a cart track. The learned Government Advocate submits that there are encroachments and the petitioner is also an encroacher. Granting relief in this writ petition will not come in the way of the authorities from clearing the encroachments.

3.This writ petition is allowed on these terms. No costs.

06.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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