



WEB COPY



W.P.No.4076 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.4076 of 2024

K.Venkatachalam

.. Petitioner

VS

- 1.The District Collector,
Salem District, Salem.
- 2.The Revenue Divisional Officer,
Sankagiri, Salem.
- 3.The Tahsildar,
Edapady Taluk,
Salem District.
- 4.The Block Development Officer,
Edapady Taluk,
Salem District.
- 5.The Inspector of Police,
Sankagiri, Salem.
- 6.The Village Administrative Officer,
Konganapuram, Salem,
Tamil Nadu.



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7.Alaguraja

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 6 to initiate steps as per law to remove the encroachment made by the seventh respondent in Cart Track in Survey No.249/2D in Koraqnampatti Village, Edapaddi Circle, Salem District which is Cart Track, execution of the proceedings of the second respondent in Na.Ka.No.1799/2021/C dated 6.9.2022 forthwith.

For the Petitioner : M/s.T.Dharani

For the Respondents : Mr.K.Karthik Jegannath
Government Advocate
for respondents 1 to 4 and 6

: Mr.R.Muniyapparaj
Addl. Public Prosecutor
assisted by
Mr.M.Sylvester John
for respondent No.5

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard M/s.T.Dharani, learned counsel for the petitioner;
Mr.K.Karthik Jegannath, learned Government Advocate for
respondents 1 to 4 and 6; and, Mr.R.Muniyapparaj, learned Additional



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Public Prosecutor, assisted by Mr.M.Sylvestor John, learned counsel for respondent No.5.

2. Learned counsel for the petitioner submits that the seventh respondent is obstructing the cart track.

3. Learned Government Advocate submits that the villagers have filed a civil suit for injunction and the said suit is decreed.

4. The dispute appears to be of easementary right.

5. If the decree of injunction is violated, the petitioner can file an execution petition for executing the decree of injunction.

6. The writ petition, as such, is disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

21.02.2024

Index : Yes/No
Neutral Citation : Yes/No



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THE HON'BLE CHIEF JUSTICE
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