



WP No.14175 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Pachiyammal

.. Petitioner

-VS-

1. The District Collector,
Salem District.
2. The Tahsildar,
Omalur Taluk, Salem District.
3. The Inspector of Police,
Tharamangalam Police Station,
Salem District.
4. The Block Development Officer,
Tharamangalam, Salem District.
(R4 suo motu impleaded vide order
dt.17.05.2023 made in WP.)
5. Selvaraj
6. Chinnathayi

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 2 herein to remove the encroachment made by the 4th and 5th respondents in the common pathway of Government porambokku land which extends about 3 ½ feet bearing Survey No.266/16 of Arurpatti Village, Omalur Taluk, Salem District by considering the petitioner's representation dated 18.04.2023 within the time limit to be stipulated by this Court and further direct the 3rd respondent to provide necessary protection to the petitioner.

For the Petitioner : Mr.M.Vijayaragavan

For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for RR 1 to 4
: Mr.K.Ramanraj for RR 5 and 6
* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.M.Vijayaragavan, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader, for respondent Nos.1 to 4 and Mr.K.Ramanraj, learned counsel for respondent Nos.5 and 6.



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2. Encroachment is alleged by the petitioner on the common pathway of Government poramboke in S.No.266/16 of Arurpatti Village, Omalur Taluk, Salem District.

3. According to the learned counsel for respondent Nos.5 and 6, no encroachment has been committed by them on any pathway.

4. The learned State Government Pleader submits that survey/ measurement would be conducted on the writ subject area and if any encroachment is found on a pathway, then due process of law will be undertaken for removal of encroachment on the pathway.

In view of the said statement, the writ petition is disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

02.01.2024

Index : Yes/No

Neutral Citation : Yes/No

sra

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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sra)

To

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3. The Inspector of Police, Tharamangalam
Police Station, Salem District.
4. The Block Development Officer, Tharamangalam,
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