



WEB COPY



W.P.No.13752 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.No.13752 of 2024

MANJUNATH BAIRAPPA

.. Petitioner

Vs

1.THE DISTRICT COLLECTOR
KRISHNAGIRI DISTRICT
KRISHNAGIRI

2.THE SUB COLLECTOR
HOSUR, KRISHNAGIRI DISTRICT
KRISHNAGIRI 635 109

3.THE TAHSILDAR
HOSUR TALUK
HOSUR 635 109
KRISHNAGIRI DISTRICT

4.DASAPPA

5.MANI

6.KRISHNAMOORTHY

7.PRABHAKAR

8.MUNIRAJ

9.NARAYANASAMY

10.SEENAPPA



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11.SRIDHAR

12.LAKSHMANA

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 3 to remove the encroachment and occupation illegally made by the respondents 4 to 12 in Boosthuthi Paadhahai (pathway) as well as Vandipaadhahai (Cart Track) comprised in Survey Nos. 101, 102, 103, 104 105/5B, 106/1B, 106/3, 108, 109, 111, 117(2), 130(3), 131/5 in Moorthy Gaanadinna Village, Hosur Taluk, Krishnagiri District and consequently to restore the original length and width of the above said Boosthudthi Paadhahai (pathway) as well as Vandipaadhahai (Cart track) as existing in the revenue records based on the representation of the petitioner dated 21.02.2024 to the respondents 1 to 3.

For the Petitioner : Mr.Ravichandran Sundaresan

For the Respondents : Mr.A.Edwin Prabakar
State Government Pleader
for respondents 1 to 3

ORDER

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

This writ petition has been filed by the petitioner for issuance of a writ of mandamus directing respondents 1 to 3 to remove the encroachment made by respondents 4 to 12 on the pathway and cart track in Survey Nos. 101, 102, 103, 104 105/5B, 106/1B, 106/3, 108, 109, 111, 117(2), 130(3), 131/5 situated at Moorthy Gaanadinna Village, Hosur Taluk, Krishnagiri District.



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2. Today, when the writ petition is taken up for hearing, learned State Government Pleader, on instructions, submitted that the encroachments have been removed and, at present, there are no encroachments in the survey numbers referred by the petitioner. He has also filed a counter/status report of the third respondent. In the counter, it has been stated as under:

"3. It is submitted that there are no encroachments in the Government Poramboke land path in S.No.101, 109, 111, 117/2, 130/3, 131/5 of Moorthy Ganadinna Village. The encroachments in the path in patta lands were evicted by the 3rd respondent on 06.10.2023 itself. At present there are no encroachments in survey numbers referred by the petitioner."

3. At this juncture, learned counsel for the petitioner, by showing a photograph, submitted that encroachment subsist as on date and the land has been fenced with an iron gate.

4. In reply, learned State Government Pleader submitted that the photograph, which produced by learned counsel for the petitioner, pertains to Kanimangalam Village, whereas the land in question is



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situated in Moorthy Gaanadinna Village.

5. Recording the statement made by learned State Government Pleader that there are no encroachments in the survey numbers referred to by the petitioner, the writ petition is closed. There shall be no order as to costs.

(D.K.K., ACJ.) (P.B.B, J.)
12.09.2024

Index : Yes/No
NC : Yes/No
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To:

- 1.THE DISTRICT COLLECTOR
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KRISHNAGIRI
- 2.THE SUB COLLECTOR
HOSUR, KRISHNAGIRI DISTRICT
KRISHNAGIRI 635 109
- 3.THE TAHSILDAR
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