



W.P No.20696 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

WP No.20696 of 2021
and W.M.P.No.21954 of 2021

T.Gandhimathi

.. Petitioner

-vs-

- 1.The District Collector
District Collector Office
Mayiladuthurai.
- 2.The Revenue Divisional Officer
District Collector Office
Mayiladuthurai District.
- 3.The Tahsildar
Kuthalam Taluk
Mayiladuthurai District.
- 4.The Executive Officer
Kuthalam Town Panchayat
Mayiladuthurai District.
- 5.The Inspector of Police
Kuthalam Police Station
Mayiladuthurai District.



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6. Lakshmi

7. Senthilnathan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st and 4th respondents to remove the encroachments in the common panchayat pathway in Survey No.466/2A situated at Pattaveli East Street, Kuthalam Town and Taluk, Mayiladuthurai District based on the petitioner's representation dated 04.08.2021.

For the Petitioner : Mr.S.N.Subramani

For the Respondents : Mr.C.Kathiravan
Special Government Pleader
- for R1 to R5

* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.S.N,Subramani, learned counsel for the petitioner and Mr.C.Kathiravan, learned Special Government Pleader for the respondents 1 to 5.



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2. The petitioner alleges encroachment on his property. It is submitted that even the Government property has been encroached. We do not find any details of the Government property being encroached. If there is any encroachment on the private land of the petitioner, the remedy is filing a civil suit.

3. Learned counsel for the petitioner submits that a civil suit has already been filed and the same is pending. The petitioner may prosecute the said civil suit as may be permissible and seek for all possible reliefs, which the petitioner can claim. All the contentions of the petitioner are kept open.

4. In view of the fact that the civil suit is pending, the writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(J.S.N.P., J.)

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Index : Yes/No
Neutral Citation : Yes/No

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