



WP No.22604 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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M.S.Ramamoorthy

.. Petitioner

-VS-

1. The District Collector,
Tiruvallur Collectorate,
Tiruvallur.
2. The Tahsildar,
Ambattur Taluk Office,
Ambattur, Chennai.
3. The Commissioner,
Avadi Municipal Corporation,
Military Road, Avadi.
4. The Zonal Officer,
Zone-II, Avadi Municipal Corporation,
Avadi, Chennai.

5. Mohammed Ali

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 4 to consider my representation dated 02.01.2023, seeking to remove the encroachment made by the 5th respondent in 20 feet wide



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road/common pathway (Venkatachalam Road), Thirumullaivoyal Village, Avadi Municipal Corporation.

For the Petitioner : Mr.B.Manimaran
For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for RR 1 and 2
: Mr.R.Gopinath
Stdg. Counsel for RR 3 and 4
* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.B.Manimaran, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader, for respondent Nos.1 and 2 and Mr.R.Gopinath, learned standing counsel for respondent Nos.3 and 4.

2. The learned counsel for the petitioner submits that the 5th respondent has made encroachment on the 20 feet wide road/common pathway.

3. According to the learned State Government Pleader, there is no common pathway in existence.



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4. There is no document on record to substantiate the contention of the petitioner of the existence of common pathway. In light of that, no orders can be passed in the writ petition. If the petitioner has any other remedy available, then the petitioner may avail the same.

In view of that, the writ petition is dismissed. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

23.01.2024

Index : Yes/No
Neutral Citation : Yes/No

sra

To

1. The District Collector,
Tiruvallur Collectorate,
Tiruvallur.
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Ambattur Taluk Office,
Ambattur, Chennai.
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(sra)

4. The Zonal Officer,
Zone-II, Avadi Municipal Corporation,
Avadi, Chennai.

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