



WEB COPY



W.P.No.28024 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

W.P. No.28024 of 2019

P.Jayaraman

... Petitioner

Vs.

- 1.The District Collector,
Ariyalur District.
- 2.The Block Development Officer,
Ariyalur District.
- 3.The Tahsildar,
Ariyalur.
- 4.The Revenue Inspector,
Nagamangalam Village-621 701,
Ariyalur District.
- 5.The Village Administrative Officer,
Nagamangalam Village-621 701,
Ariyalur District.
- 6.The Surveyor,
Nagamangalam Village,
Ariyalur District.

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7.Mr.Pakkirisamy

8.Neelavathi

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, for issuance of writ of Mandamus, directing the 1st respondent to take necessary steps to remove the encroachments in common pathway in Survey No.197/4 measuring an extent of 0.00.61 Sq.mts situated at Madha Kovil Street, Nagamangalam Village, Ariyalur Taluk & District made by the 7th and 8th respondents and consequently keep the pathway in S.No.197/4 as a public pathway forever.

For Petitioner	: Mr.R.Venkatesulu
For R1 to R6	: Mr.A.Selvendran Special Government Pleader
For R7 and R8	: No appearance

ORDER

(Order of the Court made by S.M.SUBRAMANIAM,J.)

The writ of mandamus has been instituted to direct 1st respondent to take necessary steps to remove the encroachments in common pathway in Survey No.197/4 measuring an extent of 0.00.61 Sq.mts situated at Madha Kovil Street, Nagamangalam Village, Ariyalur Taluk & District made by the 7th and 8th respondents and consequently keep the pathway in S.No.197/4 as a public pathway forever.



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2. With reference to the complaint of encroachment made by the petitioner, the respondents 1 and 3 are directed to conduct a survey in respect of the subject property described in the writ petition. If any encroachments are identified, further actions are to be initiated to remove the encroachments by following the procedures as contemplated under the provisions of the Tamil Nadu Land Encroachment Act, 1905. The said exercise is directed to be completed within a period of twelve weeks from the date of receipt of a copy of this order. It is needless to state that Section 7 notice is to be issued by affording opportunity to all the parties and an order under Section 6 is to be passed. Thereafter, encroachments identified if any are to be removed and the Government lands are to be restored.

3. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs.

[S.M.S,J.] [K.R.S,J.]
27.02.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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