



W.P.(MD) No.4493 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2024

CORAM:

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

W.P.(MD) No.4493 of 2024

Palpandi

... Petitioner

-VS-

- 1.The District Collector
Collectors Compound
Virudhunagar District
- 2.The Commissioner of Corporation
Sivakasi Corporation
Virudhunagar District
- 3.The Revenue Divisional Officer
Sivakasi, Virudhunagar District
- 4.The Welfare Officer
Aadhi Dravidar and Welfare Office
Virudhunagar District
- 5.The Special Tahsildar
Aadhi Dravidar and Welfare Office
Virudhunagar District
- 6.Abirami

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 5 to take appropriate action to remove the encroachments made by the sixth respondent as requested by the petitioner's representations dated 25.07.2023, 31.07.2023 and 19.08.2023 within a reasonable time.

For Petitioner : Ms.Chamundi Bose

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 to R5

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

We have heard Ms.Chamundi Bose, learned counsel, for the petitioner and Mr.P.Thilakkumar, learned Government Pleader, for the respondents 1 to 5.

2. The encroachment is alleged on the 20 Feet pathway / road. The road alleged to be encroached is of a layout.



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3. Learned counsel for the petitioner submits that the petitioner, though he is not a resident of that locality, is prosecuting the petition for public cause and benefit of the residents of the locality, where the encroachment is alleged.

4. The layout is on record. The plot-holders of the subject layout have not raised any objection nor the alleged encroachment is fortified by any document. The petitioner, being a resident of a different locality, altogether is not even remotely affected. If the persons of the layout / locality raised any objection, the same can be considered. It is for the authority to consider the existence of encroachment or otherwise on the complaint being received.

5. The writ petition is dismissed accordingly. No costs.

[S.V.G., C.J.]

[G.I., J.]

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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