



W.P.(MD) No.5876 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.5876 of 2024

A.Rajpandi

... Petitioner

-Vs-

1.The District Collector,
Madurai District, Madurai.

2.The Commissioner,
Madurai Corporation,
Madurai.

3.The Assistant Director,
Town and Country Planning,
Madurai Corporation, Madurai.

4.The Tahsildar,
Taluk Office, Madurai South Taluk,
Madurai.

5.The Assistant Engineer,
Madurai Corporation, Thirupparankundram Zone-5,
Madurai.

6.The Inspector of Police,
Avaniyapuram Police Station,
Madurai.

7.R.Selvam

... 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 6 to remove the encroachment made by the 7th respondent in Survey No.297/2B, situated at Vallananthapuram, Avaniyapuram Village, Madurai South Taluk, Madurai District, by considering the petitioner's representation dated 09.01.2024 within the stipulated time fixed by this Court.

For Petitioner : Mr.V.Karuna

For R1 & R3 to R5: Mr.N.Satheesh Kumar,

Additional Government Pleader

For R2 : Mr.K.Manisekaran,

Standing Counsel

For R6 : Mr.S.S.Madhavan,

Government Advocate (Crl.Side)

ORDER

[Order of the Court was made by *D.KRISHNAKUMAR, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.Mr.N.Satheesh Kumar, learned Additional Government Pleader takes notice for the respondents 1, 3 to 5, Mr.K.Manisekaran, learned Standing Counsel takes notice for the 2nd respondent and Mr.S.S.Madhavan, learned Government Advocate (Crl.Side) takes notice for the 6th respondent. Considering the nature of



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order going to be passed in this Writ Petition, notice to the 7th respondent is dispensed with.

3. According to the petitioner, his representation dated 09.01.2024, seeking removal of the encroachment made by the 7th respondent in Survey No.297/2B, situated at Vallananthapuram, Avaniyapuram Village, Madurai South Taluk, Madurai District, has not been considered so far. Hence, he is constrained to move the present Writ Petition.

4. We have carefully gone through the copy of 'A' Register, which is enclosed in the typed set of papers, which shows that the land in question is a private land and patta also stands in the name of Ilaiyaraja and Ilangovan. Therefore, the prayer sought for by the petitioner cannot be granted. Accordingly, this Writ Petition stands dismissed. No costs.

[D.K.K., J.] & [R.V., J.]
12.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Yuva



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AND

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