



W.P.(MD) No.13028 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2024

CORAM:

**THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE
and
THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN**

W.P.(MD) No.13028 of 2024

V.Mahesh

... Petitioner

-vs-

- 1.The District Collector
Tiruchirappalli District
Tiruchirappalli
- 2.The Revenue Divisional Officer
Revenue Divisional Office
Vannankovil, Srirangam Taluk
Tiruchirappalli District
- 3.The Tahsildar
Manapparai Taluk
Tiruchirappalli District
- 4.The Block Development Officer
Vaiyampatti Panchayat Union
Tiruchirappalli District
- 5.S.Tamilalagan



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6.S.Kulanthaivel

7.Rani

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 to 7 in S.F.No.559/1, situated at Vairampatti, Vaiyampatti Village, Manapparai Taluk, Tiruchirappalli District, which was classified as Government Poramboke Pathway in the revenue records, based on the petitioner's representation dated 21.12.2023.

For Petitioner : Mr.A.N.Ramanathan

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader for R1 to R4
Mr.B.Prakalad Ravi for R5 to R7

ORDER

R.MAHADEVAN, A.C.J.

And

G.R.SWAMINATHAN, J.

Heard the learned counsel for the petitioner, learned Additional Government Pleader for the respondents 1 to 4 and learned counsel for the respondents 5 to 7.



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2. The petitioner alleges that the private respondents have encroached upon the petition mentioned pathway. He wants the same to be removed.

3. Without going into the merits of the matter, we direct the fourth respondent to take action under Section 131 of the Tamil Nadu Panchayats Act, 1994. If the demand set out therein is not complied with, the fourth respondent shall refer the matter to the third respondent, who shall take action under the provisions of the Tamil Nadu Land Encroachment Act, 1905. During enquiry, if it is found that there are encroachments in the public pathway, the same shall be removed in accordance with law. The entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order. We make it clear that the respondents 3 and 4 will put all the interested parties on notice before taking any adverse action. We have not gone into the merits of the matter. All the contentions and defence of the private respondents are left open.



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4. With the above direction, this writ petition is disposed of. No costs.

[R.M.D., A.C.J.] [G.R.S., J.]

19.06.2024

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

krk / ias

To:

- 1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.
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Revenue Divisional Office,
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