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W.P.(MD)NO.15794 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.15794 of 2024

Peri.Boomiraj,
S/o.Periyasamy,
Deputy President,
' Devakottai Vattara Neernilai Paadhukappu
Pothunala Sangam,
No.9, VBS Complex,
Silappani North, Devakottai,
Sivagangai District.

... Petitioner

Vs.

1. The District Collector,
Sivagangai District, Sivagangai.
2. The Revenue Divisional Officer,
Devakottai Sub Division,
Ramnagar, Devakottai,
Sivagangai District.
3. The Assistant Director of Survey and Land Records,
Collector Office Campus,
Sivagangai,
Sivagangai District.
4. The Tahsildar,
Devakottai Taluk Office,
Ramnagar, Devakottai,
Sivagangai District.



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5. The Taluk Surveyor,
Devakottai Taluk Office,
Ramnagar, Devakottai,
Sivagangai District.

6. The Village President,
Unjanai Village,
Devakottai Taluk,
Sivagangai District.

7. Rama.Rama.Ramasamy

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the fourth respondent in his proceedings in Na.Ka.A2/08/2024 dated 14.03.2024 and quash the same and consequently direct the fourth respondent to remove the encroachment made by the seventh respondent in Unjanai Oorani in survey No.267/1, Unjanai Village, Devakottai Taluk, Sivagangai District by considering the petitioner's representation dated 30.01.2024.

For Petitioner : Mr.M.Solaisamy

For R-1 to R-6 : Mr.K.Balasubramani,
Special Government Pleader.

For R-7 : Mr.R.Balakrishnan

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ORDER

Heard both sides.

2. The petitioner's grievance is justified. The petitioner's counsel rightly pointed out that the existence of the road is in the middle of the petition-mentioned water body. But then, interference is not possible. The road has been in existence for a number of years. The local villagers are also using it. It is further clarified by the Tahsildar, Devakottai that there is no encroachment in the petition-mentioned water body. Therefore, we do not find any ground to interfere with the impugned memorandum. The learned counsel for the respondents clarifies that the access to the road will not be prevented as it is a public road. This writ petition stands dismissed. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)

16th July 2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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