



C.R.P(MD)No.1584 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.08.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P(MD)No.1584 of 2024

and

C.M.P(MD)No.9367 of 2024

K.Annaraj

... Petitioner /
Petitioner /
3rd Party

Vs.

1.R.Thatchanamoothi

... 1st Respondent /
1st Respondent /
Plaintiff

2.The District Revenue Officer,
Madurai District Collector Office,
Madurai District.

3.The Commissioner,
Office of the Commissioner,
Madurai Corporation.

4.The Revenue Divisional Officer,
Thirumangalam Sub Division,
Thirumangalam,
Madurai District.



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5.The Tahsildar,
Thirupparankundram Taluk Office,
Madurai District.

6.The City Town Planning Officer,
Madurai Corporation Office,
Madurai.

7.The Assistant Engineer,
Thirupparankundram Corporation Office,
Thirupparankundram,
Madurai District.

8.The Executive Engineer of P.W.D,
Madurai Zonal,
Madurai – 2.

9.The Revenue Inspector,
Thirupparankundram Group,
Thirupparankundram Taluk,
Thirupparankundram,
Madurai District.

10.The Village Administrative Officer,
Thirupparankundram Group,
Thirupparankundram,
Madurai District.

11.The Block Development Officer,
Thirupparankundram,
Madurai District.

12.The District Collector,
Madurai District.

... Respondents 2 to 12 /
Respondents 2 to 12 /
Defendants 1 to 11



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Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order passed by the Principal District Munsif Court, Thirumangalam made in I.A.No.165 of 2022 in O.S.No.99 of 2021 and to allow the present Civil Revision Petition.

For Petitioner : Mr.T.K.Gopalan

For Respondents : Mr.R.Udhayakumar for R.1

Mr.K.Balasubramani
Special Government Pleader
for R.2, R.4, R.5, R.8 to R.10,
R.11 & R.12

Mrs.S.Devasena
for R.3, R.6 & R.7

ORDER

Heard both sides.

2.The first respondent herein Thiru.R.Thatchanamoorthi filed O.S.No.99 of 2021 on the file of Principal District Munsif Court, Thirumangalam seeking permanent injunction to restrain the original defendants from interfering with his possession and enjoyment of the suit property except by following due process of law. In the said suit, the



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revision petitioner herein filed I.A.No.165 of 2022 for getting himself impleaded. The Court below dismissed the said IA. Questioning the same, this Civil Revision Petition came to be filed.

3.It is seen that copy of the A-Register has been enclosed in the typed set of papers. It can be seen therefrom that Survey No.207/5, Thiruparankundram has been classified as “water body” (Thennavarayan Kulam). It is seen that Thatchanamoothi filed W.P(MD)No.11437 of 2021 as well as W.P(MD)No.10441 of 2021 for protecting his possession. Likewise the revision petitioner herein K.Annaraj also filed W.P(MD)No.7415 of 2021. All these writ petitions were dismissed by the Hon'ble Division Bench on 07.07.2021 and 09.07.2021. The authorities were directed to remove the encroachment if the petitioners did not clear the encroachments on their own.

4.In these circumstances, the question of entertaining this Civil Revision Petition does not arise at all. The authorities are directed to adhere to the direction given by the Hon'ble Division Bench for removal of the encroachment.



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5.This Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

19.08.2024

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

To

- 1.The Principal District Munsif Court,
Thirumangalam.
- 2.The District Revenue Officer,
Madurai District Collector Office,
Madurai District.
- 3.The Revenue Divisional Officer,
Thirumangalam Sub Division,
Thirumangalam,
Madurai District.
- 4.The Tahsildar,
Thirupparankundram Taluk Office,
Madurai District.
- 5.The Executive Engineer of P.W.D,
Madurai Zonal,
Madurai – 2.

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G.R.SWAMINATHAN, J.

MGA

- 6.The Revenue Inspector,
Thirupparankundram Group,
Thirupparankundram Taluk,
Thirupparankundram,
Madurai District.
- 7.The Village Administrative Officer,
Thirupparankundram Group,
Thirupparankundram,
Madurai District.
- 8.The Block Development Officer,
Thirupparankundram,
Madurai District.
- 9.The District Collector,
Madurai District.

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