



W.P(MD)No.19084 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P(MD)No.19084 of 2024

S.Muthuvel

... Petitioner

-VS-

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Tahsildar,
Madurai West Taluk,
Madurai District.
- 3.The Block Development Officer,
Block Development Office,
Tiruparangunram,
Madurai District.
- 4.The Superintendent of Police,
Madurai District,
Madurai.
- 5.The Inspector of Police,
Nagamalaiputhukkottai Police Station,
Madurai District.

6.Senthamarai

... 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 remove the illegal encroachments made by the sixth respondent and other unknown persons on Karadipatti Village Road along with the Path Survey Nos.34, 35, 36 and 33/3G with police protection for our unhindered access to our placed within a stipulated time fixed by this Court.

For Petitioners : Mr.V.Maharajan
For R-1 to R-3 : Mr.SRA.Ramachandran,
Additional Government Pleader
For R-4 & R-5 : Mr.B.Thanga Aravind,
Government Advocate(Crl. Side)

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

This writ petition is filed to issue a Writ of Mandamus directing the respondents 1 to 5 to remove the illegal encroachments made by the sixth respondent and other unknown persons in a pathway in Survey Nos.34, 35, 36 and 33/3G at Karadipatti Village.

2. Mr.SRA.Ramachandran, learned Additional Government Pleader takes notice for respondents 1 to 3.



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3. Mr.B.Thanga Aravind, learned Government Advocate(Crl. Side) takes notice for respondents 4 and 5.

4. The petitioner claims to have purchased housing plots with pathway right in Survey Nos.33/3C and 33/D at Karadipatti Village in Madurai West Taluk.

5. It is found from the report of the Tahsildar, Madurai West Taluk, dated 07.08.2024 that all these lands are private patta lands and the plots have been sold out as an unapproved layout. Therefore, the land does not vests in Government to take action for removal of encroachments. Leaving it open to the petitioner to work out his rights against private parties/vendors of the petitioner, this writ petition is dismissed. No Costs.

[R.S.M., J.]

[L.V.G., J.]

07.08.2024

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

PM



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and
L.VICTORIA GOWRI, J.

pm

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