



W.P.(MD) No.22384 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2024

CORAM:

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

W.P.(MD) No.22384 of 2024

K.S.Palanisamy

... Petitioner

-VS-

1.The District Collector,
First Floor,
Collectorate,
Dindigul - 624004.

2.The Revenue Divisional Officer/Monitoring Committee,
Office of the Revenue Divisional Officer
Spencer Compound,
Dindigul – 624001.

3.The Tahsildar,
Aathoor Taluk,
Dindigul.

4.S.T.Vellaichamy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment in the pathway in Survey Nos.1057/1, 1056/1, 1056/2, 1071/4, Ayyampalayam Village, Aathoor Circle, Dindigul District, classified as pathway in the revenue records as per the representation of the petitioner dated 25.07.2024 and consequently to maintain the Survey Nos.1057/1, 1056/1, 1056/2, 1071/4, Ayyampalayam Village, Aathoor Circle, Dindigul



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District, classified as pathway in the revenue records for passage of the Villagers with ingress and egress free from encroachment.

For Petitioner : Mr.K.Muthu Ganesa Pandian
For Respondents 1 to 3 : Mr.P.Thilakkumar
Government Pleader

ORDER

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

Mr.P.T.Thilakkumar, learned Government Pleader takes notice for the respondents 1 to 3. Since we are not passing any adverse order, notice to the 4th respondent is dispensed with.

2.The prayer in the Writ Petition reads as follows:-

“to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment in the pathway in Survey Nos.1057/1, 1056/1, 1056/2, 1071/4, Ayyampalayam Village, Aathoor Circle, Dindigul District, classified as pathway in the revenue records as per the representation of the petitioner dated 25.07.2024 and consequently to maintain the Survey Nos.1057/1, 1056/1, 1056/2, 1071/4, Ayyampalayam Village, Aathoor Circle, Dindigul District, classified as pathway in the revenue records for passage of the Villagers with ingress and egress free from encroachment.”

3.Mr.P.Thilakkumar, learned Government Pleader would submit that upon Survey conducted by the Revenue Department, certain encroachments have been found and the report has been forwarded to the Executive Officer



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of the Ayyampalayam Town Panchayat, who is the authority to deal with the encroachment as the area is within the Town Panchayat and comes under the Tamil Nadu Urban Local Bodies Act, 1998. He would also assure the Court that necessary action will be taken to remove the encroachment by following the procedure prescribed under Section 128 of the Urban Local Bodies Act, 1998.

4.The first respondent District Collector as Inspector of the Panchayats will monitor the process of removal of the encroachment and ensure that the encroachment will be removed by following due process of law. The Writ Petition is disposed of with the above observation. No Costs.

[R.S.M., J.]

[L.V.G., J.]

04.10.2024

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



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To

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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

Mrn

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