



W.P.(MD) No.19792 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD) No.19792 of 2023

Mayalagan @ Mayalaganpoosari

... Petitioner

-vs-

1.The District Collector
Collectorate, Dindigul

2.The Revenue Divisional Officer
O/o.R.D.O.
Dindigul District

3.The Tahsildar
Natham Taluk
Dindigul District

4.Alagan @ Chinnaiah

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to survey the land in Poosthi Odai and Car-track in midst of Survey No.216/7, 216/7A, 216/7B and other survey numbers in Kasampatti Village in Reddiyapatti in Natham Taluk, Dindigul District and remove the encroachment by the fourth respondent on



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the odai and car-track and restore the same in its original state and take effective steps to prevent any further encroachment by the fourth respondent and his men, within a time stipulated by this Court.

For Petitioner : Mr.S.Sivailayaraja

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 to R3
Mr.S.Anwar Sameem for R4

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Prayer in this writ petition is to direct the respondents 1 to 3 to survey the land in Poosthi Odai and cart track in the midst of Survey Nos. 216/7, 216/7A, 216/7B and other survey numbers in Kasampatti Village in Reddiyapatti in Natham Taluk, Dindigul District, remove the encroachment made by the fourth respondent on the odai and cart track, restore the same to its original position and take effective steps to prevent any further encroachment by the fourth respondent and his men, within a time stipulated by this Court.

2. Learned Government Pleader appearing for the respondents 1 to 3, on instructions, would submit that the encroachment made by the fourth respondent, as alleged by the petitioner, has already been removed, after



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conducting a survey of the subject land and therefore, nothing survives for adjudication in this writ petition.

3. Learned counsel for the petitioner has refuted the above submission of the learned Government Pleader.

4. If the statement made by the learned Government Pleader appearing for the respondents 1 to 3 is incorrect, it is open to the petitioner to approach the authority concerned with relevant materials and redress his grievance in the manner known to law.

5. With the above observation, this writ petition is disposed of. No costs.

[D.K.K., J.]

[R.V., J.]

03.01.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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