



W.P.(MD)No.20819 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.20819 of 2021

Udayasuryan

: Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Madurai.

2.The Commissioner,
Madurai Corporation,
Madurai.

3.Muraliraj

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the second respondent herein to take necessary action for removal of the illegal encroachments made in the public pathway situated at 1st



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street Jeevanagar, Jaihindpuram, Madurai District by the third respondent based on petitioner's representations dated 06.09.2021 and 16.09.2021 within the time stipulated by this Court.

For Petitioner : Mr.S.Thangaraj
For Respondent No.1 : Mr.P.Thilak Kumar
Government Pleader
For Respondent No.2 : Mr.K.K.Kannan
For Respondent No.3 : Ms.P.Rajeswari

ORDER

[Order of the Court was made by M.S.RAMESH, J.]

The claim of the petitioner that the third respondent herein has encroached upon a public pathway cannot be sustained, since the second respondent Corporation had conducted a survey over the subject land and found the land to be vested with the third respondent herein, who had acquired the same through a proper sale deed. Hence, the petitioner's claim may not be correct, since the third respondent's possession over the subject property would not amount to an encroachment.



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2.Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

[M.S.R.,J.] & [A.D.M.C.,J.]

11.12.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

MR

ORDER MADE IN
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