



W.P.(MD)No.21912 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2024

CORAM:

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

W.P.(MD)No.21912 of 2024

A.Selvam

... Petitioner

-VS-

1.The District Collector,
District Collectorate,
Tenkasi District.

2.The Tahsildar / Monitoring Committee,
Shenkottai Taluk,
Tenkasi District.

3.The Executive Officer,
Pudur Town Panchayat,
Shenkottai Taluk,
Tenkasi District.

4.Arumugasamy, S/o.Anguchami
5.Thirumalai Ganesan, S/o.Anguchami
6.Palraj, S/o.Arumugachami
7.Mariraj, S/o.Mariyappan
8.Mariyappan, S/o.Shanmugathevar
9.Subbammal, W/o.Thirumalai
10.Mariyappan, S/o.Shenbagathevar
11.Sundari, W/o.Palanichami

... Respondents



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PRAYER: Writ 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 made by the respondents 4 to 11 in the public pathway situated in S.F.No.205/11, which is situated at Pillayar Kovil Street, Pudur Town Panchayat, Shenkottai Taluk, Tenkasi District, in accordance with law based on the petitioner's representation dated 20.08.2024.

For Petitioner : Mr.S.Ramanathan
For R1 to R3 : Mr.P.Thilakkumar
Government Pleader

ORDER

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

Prayer in the Writ Petition reads as follows:-

"To issue a Writ of Mandamus directing the respondents 1 to 3 to remove the encroachment made by the respondents 4 to 11 in the public pathway situated in S.F.No.205/11, which is situated at Pillayar Kovil Street, Pudur Town Panchayat, Shenkottai Taluk, Tenkasi District, in accordance with law based on the petitioner's representation dated 20.08.2024."



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2. The petitioner claims that the private respondents are attempting to encroach upon a public pathway located on Government land by erecting a construction.

3. The revenue records produced by the petitioner indicate that the land in question, specifically S.F.No.205/11, is classified as a 'footpath'. The official respondents are bound to keep this land free from encroachments. Therefore, the Executive Officer of Pudur Town Panchayat, Shenkottai Taluk, Tenkasi District / the third respondent herein, is directed to conduct a survey. If any encroachments are found, the same shall be removed within a period of 12 weeks from the date of receipt of a copy of this order, in accordance with the due process of law as outlined in Section 128(2) of the Tamil Nadu Urban Local Bodies Act, 1998.

4. This Writ Petition stands disposed of with the above directions.

No costs.

NCC : No
Index : No
smn2

[R.S.M., J.] [L.V.G., J.]
13.09.2024



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To:-

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- 1.The District Collector,
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- 3.The Executive Officer,
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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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