



W.P.(MD)No.21329 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2024

CORAM:

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

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Antony Lawrence

... Petitioner

-VS-

- 1.The District Collector /
Monitoring Committee,
Pudukkottai District,
Pudukkottai.
- 2.The Revenue Divisional Officer,
Illuppur,
Pudukkottai District.
- 3.The Tahsildar,
Kulathur Taluk,
Pudukkottai District.
- 4.The Block Development Officer,
Kundrandar Kovil,
Kulathur Taluk,
Pudukkottai District.
- 5.Stephen Raj

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 4 to remove the encroachment made by the 5th respondent in S.No.444/19, at Killukkottai Village, Kulathur Taluk, Pudukkottai District, by considering the petitioner's representation dated 27.11.2023.



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For Petitioner : Mr.S.Prabhu,
For D.Ramesh Kumar
For R-1 to R-4 : Mr.S.R.A.Ramachandran,
Additional Government Pleader

ORDER

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

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The prayer in the writ petition is as follows:-

“to issue a Writ of Mandamus directing the Respondents 1 to 4 to remove the encroachment made by the 5th respondent in S.No. 444/19 at Killukkottai village Kulathur taluk Pudukkottai district by considering the petitioners representation dated 27.11.2023.”

3. Mr.S.R.A.Ramachandran, learned Additional Government Pleader would submit that there is a civil dispute pending between the petitioner and the 5th respondent regarding the property in question.

4. Though it is claimed that there is an encroachment over a public pathway, we find that the exact nature of encroachment is not made out and from the records produced before us, we are unable to figure out as to



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what is the extent of that path way and what is the extent of the encroachment. These are the matters for evidence, which will have to be decided in the Civil Suit, that is, stated to be pending. Hence, we do not propose to entertain the Writ Petition.

5. The Writ Petition is therefore dismissed. No Costs.

[R.S.M., J.]

[L.V.G., J.]

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

To

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