



WEB COPY

W.P.(MD) Nos.23225 & 27053 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2024

CORAM:

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

W.P.(MD) Nos.23225 & 27053 of 2023

W.P.(MD) No.23225 of 2023:

D.George

... Petitioner

-VS-

1.The District Collector
Tirunelveli, Tirunelveli

2.The Block Development Officer
Radhapuram, Tirunelveli District

3.The Thasildar
Thaisyavilai Taluk
Tirunelveli District

4.Seeli

... 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 made by the fourth respondent in public pathway in Survey



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Nos.521/1, 521/2 and 521/3 of Karaisuthu Uvari Village, Tirunelveli District,
by considering the petitioner's representation dated 23.06.2023 within a time
stipulated by this Court.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.T.Amjad Khan
Government Advocate for R1 to R3
Mr.S.Prasanth for R4

W.P.(MD) No.27053 of 2023:

Josephine Mary Anusha

... Petitioner

-vs-

- 1.The District Collector
Office of the District Collector
Tirunelveli, Tirunelveli District
- 2.The Block Development Officer
Office of the Block Development Officer
Radhapuram, Tirunelveli District
- 3.The Thasildar
Officer of the Thasildar
Thaisyanvilai Taluk
Tirunelveli District
- 4.Seeli

... Respondents



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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 made in public pathway in Survey Nos.521/1, 521/2 and 521/3 of Karaisuthu Uvari Village, Tirunelveli District, by considering the petitioner's representation submitted by the general public along with the petitioner dated 23.06.2023 in accordance with law within a time stipulated by this Court.

For Petitioner : Mr.C.Ezhilarasu

For Respondents : Mr.T.Amjad Khan
Government Advocate for R1 to R3
Mr.S.Prasanth for R4

C O M M O N O R D E R

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

Prayer in these writ petitions is to direct the respondents to remove encroachments made by the fourth respondent in a public pathway in Survey Nos.521/1, 521/2 and 521/3 of Karaisuthu Uvari Village, Tirunelveli District.



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2. To be noted, this Court, by order dated 13.02.2024, passed in W.P.(MD) No.1553 of 2024, has directed the fourth respondent herein, who filed the said writ petition, to treat the impugned notice as a show-cause notice and submit her objection and directed the Panchayat President to pass appropriate orders, after receiving the objections of the fourth respondent.

3. In view of the said order dated 13.02.2024 passed in W.P.(MD) No.1553 of 2024, no further adjudication is required in the present writ petitions.

4. Accordingly, the writ petitions are closed. However, if necessary, liberty is granted to the petitioners to approach the Village Panchayat to take further action for removal of encroachments in the subject land. No costs.

[D.K.K., J.] [R.V., J.]
13.02.2024
(2/2)

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

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To:

- 1.The District Collector,
Tirunelveli, Tirunelveli.
- 2.The Block Development Officer,
Radhapuram, Tirunelveli District.
- 3.The Thasildar,
Thaisyavilai Taluk,
Tirunelveli District.



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W.P.(MD) Nos.23225 & 27053 of 2023

D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

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2023

13.02.2024

(2/2)