



W.P.(MD) No.23337 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.23337 of 2023

Jayakumar

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
At Nagercoil.

2.The Joint Registrar of Cooperative Societies,
Nagercoil, Kanyakumari District.

3.Vilavancode Kalkulam Cooperative and Marketing Society,
Rep. by its Secretary,
Pammam, Marthandam Post,
Kanyakumari District.

4.The Commissioner,
Kuzhithirai Municipality,
Marthandam Post,
Kanyakumari District.

5.Robin

... Respondents



W.P.(MD) No.23337 of 2023

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment made upon the property of the Vilavancode Kalkulam Cooperative and Marketing Society admeasuring 56 Ares comprised in Survey No.D9/67 of Kuzhithurai Municipality, Kanyakumari District by the fifth respondent on the South East side of the property to an extent of 5 cents and to forbear the fifth respondent from making any unauthorised construction in it.

For Petitioner :Mr.S.Sivakumar

For R-1 & R-2 :Mr.J.Ashok,
Additional Government Pleader

For R-5 :Mr.N.Dilip Kumar

ORDER

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

The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 4, to remove the encroachment made upon the property of the Vilavancode Kalkulam Cooperative and Marketing Society admeasuring 56 Ares comprised in Survey No.D9/67 of Kuzhithurai Municipality, Kanyakumari District by the fifth respondent on the South East side of the property to an extent of 5 cents and to forbear the fifth respondent from making any unauthorised construction in it.



W.P.(MD) No.23337 of 2023

2. Though the petitioner has filed this writ petition for the aforesaid relief, when the matter is taken up for hearing today, the learned counsel for the petitioner seeks liberty to the petitioner to approach the competent civil Court to redress his grievances.

3. With such liberty, this writ petition is dismissed. No Costs.

[D.K.K., J.] [R.V., J.]

28.02.2024

Neutral Citation: Yes / No
Index : Yes / No

PM

To:

- 1.The District Collector,
Kanyakumari District,
At Nagercoil.
- 2.The Joint Registrar of Cooperative Societies,
Nagercoil, Kanyakumari District.



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and
R.VIJAYAKUMAR, J.

PM

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