



W.P.(MD).No.25433 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

CORAM:

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

W.P.(MD)No.25433 of 2024

A.Malaichamy

... Petitioner

-VS-

1.The District Collector /
Monitoring Committee,
Melur Taluk,
Madurai District.

2.The Tahsildar,
Melur Taluk,
Madurai District.

3.The Revenue Divisional Officer,
Melur Taluk,
Madurai District.

4.The Public Development
Officer (PDO),
Melur Taluk,
Madurai District.

5.The President,
Village Panchayat,
Narasingampatti Panchayat,
Narasingampatti Post,
Madurai District.

6.V.S.Raja

... Respondents



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PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 5 to take action against the 6th respondent and to demolish the untouchability wall built by him by way of encroaching the public pathway by considering the petitioner's representation dated 05.09.2024.

For Petitioner : Mr.K.Sivabalan
For R-1 to R-4 : Mr.S.P.Maharajan,
Special Government Pleader

ORDER

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

The prayer in the writ petition reads as follows:

“To issue a Writ of Mandamus, to direct the respondents 1 to 5 to take action against the 6th respondent and to demolish the untouchability wall built by him by way of encroaching the public pathway by considering the petitioner's representation dated 05.09.2024.”

2. The petitioner seeks to ventilate a private dispute in the form of a Public Interest Litigation stating that the compound wall put up by the 4th respondent is an untouchability wall. The village A register shows that survey No.23/4 is patta land belonging to four individuals. The report of the Village Administrative Officer, Narasingampatti, states that the 6th respondent, who is accused of putting up an untouchability wall, has purchased 0.04.5 hectares from the said original owners and has put up a



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compound wall. It is therefore clear that the compound wall has been put up in the patta land of the 6th respondent.

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3. Hence, we see no reason to entertain the writ petition. The writ petition is dismissed. It is open to the petitioner to file an appropriate civil suit, if he claims any right over the land belonging to the 6th respondent. No costs.

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

24.10.2024

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

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