



W.P(MD) No.24569 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.11.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P(MD) No.24569 of 2023

S.V.Sethu

... Petitioner

Vs

1. The District Collector,
Madurai District, Madurai..

2. The Thasildar / Executive Magistrate,
Madurai North Taluk,
Madurai.

3. The Inspector of Police,
Anna Nagar Police Station,
Madurai.

4. Robinson Selvakumar,

5. B.Kumar

6. SN.Muniraj

7. M.Sujatha

8. Saravanan

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9. KN.Sivakumar

(R6 to R9 are impleaded vide Court Order,
dated 13.12.2023 in WMP(MD) No.25562 of 2023)

... Respondents

PRAYER: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing respondents 1 and 2 to demolish the wall constructed in the middle of Bharathi Street, comprised in R.S.No.6/5A Gomathipuram, Melamadai 1st Bit Village, Madurai by initiating proceedings under section 133 of Cr.P.C. based on the petition filed by the petitioner dated 15.05.2023 and 21.06.2023.

For Petitioner : Mr.A.Balaji

For Respondent : Mr.S.Ravi (R1-3)

Additional Public Prosecutor

Mr.S.Suresh Kumar (R5)

ORDER

This Writ Petition has been filed to writ of Mandamus directing respondents 1 and 2 to demolish the wall constructed in the middle of Bharathi Street, comprised in R.S.No.6/5A Gomathipuram, Melamadai 1st Bit Village, Madurai by initiating proceedings under section 133 of Cr.P.C. based on the petitions filed by the petitioner, dated 15.05.2023 and 21.06.2023.

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2. When the matter was taken up for hearing the learned Additional Public Prosecutor appearing for the respondents 1 to 3 submitted the report from the concerned authority. It is seen that the parties had attended the enquiry and it was concluded that they will abide by the decision taken by the Surveyor after inspecting the property.

3. In view of the above, it is left open to the petitioner to submit necessary application before the Surveyor and seek for survey of the property. Based on the survey report, the parties can work out the remedy in the manner known to law.

4. Accordingly, this Writ Petition stands disposed of in the above terms.

28.11.2024

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

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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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N.ANAND VENKATESH, J.

PNM

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