



W.P(MD)No.26590 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2024

CORAM :

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P(MD)No.26590 of 2023

P.Varatharaj

... Petitioner

vs.

1. The District Collector,
Dindigul District,
Dindigul

2. The Tahsildar,
Vedasandur Taluk,
Dindigul District.

3. The Executive Officer,
Vadamadurai Town Panchayat,
Vadamadurai,
Dindigul District.

4. Suppammal

5. C.Sridhar

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, call for the records pertaining to the impugned order passed by the 2nd respondent in Na.Ka.No.102/2023/A3, dated 14.06.2023 and quash the same as illegal and subsequently directing the respondents 2 and 3 to remove the encroachments made by the 4th and 5th respondents in respect Survey Nos.1188/7A, 10 feet width road of East to West



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and 325 feet length for common pathway of Vadamadurai Village, Vedasandur Taluk, Dindigul District and restore the same as common pathway.

For Petitioner : Mr.N.Marimuthu
For R1 to R3 : Mr.J.Ashok, Additional Government Pleader
For R4 : Mr.C.Bharathi

ORDER

(Order of the Court was made by **M.S.RAMESH, J.**)

When admittedly a suit in O.S.No.70 of 2016 has been filed by one of the encroachers namely, 4th respondent herein, seeking for a declaration of the subject properties in Survey No.1188/7A, in which, the petitioner has also been arrayed as a defendant, the impugned order of the Tahsildar dated 14.06.2023, directing the parties to resolve the dispute before the civil court, cannot be found fault with, since this Court in exercise of its powers under Article 226 of the Constitution, will not venture to adjudicate the disputed facts.

2. Hence, the Writ Petition stands dismissed. No costs.

(M.S.R, J.) (A.D.M.C, J.)
03.12.2024

Index : Yes / No
Neutral Citation : Yes / No
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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

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ORDER MADE IN
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