



W.P.(MD)No.23338 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.23338 of 2017

K.Balan

: Petitioner

Vs.

- 1.The District Collector,
O/o. District Collectorate,
Pudhukottai District.
- 2.The Superintendent of Police,
O/o. Superintendent of Police,
Pudhukottai,
Pudhukottai District.
- 3.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Pudhukottai.
- 4.The Tahsildar,
Karambakudi Taluk,
Kanyakumari District.



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5.M.Elangovan

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing respondents 1 to 4 to restore the public pathway which is situated in S.No.421/13 and 421/14 at Kottaikadu Village and Post, Karambakudi Taluk, Pudhukottai District and consequently direct the respondents 1 to 4 to remove the illegal encroachments made by the fourth respondent within the time stipulated by this Court.

For Petitioner : Mr.S.Rajasekar

For Respondents 1 to 4 : Mr.S.P.Maharajan

Special Government Pleader

For Respondent No.5 : Mr.S.Ramesh

O R D E R

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

This Writ Petition has been filed for a direction to the respondents 1 to 4 to restore the public pathway which is situated in S.No.421/13 and 421/14 at Kottaikadu Village and Post, Karambakudi Taluk, Pudhukottai District and for a consequential direction to the respondents 1 to 4 to remove the illegal encroachments made by the fourth respondent.



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2.Today, when the matter was taken up for hearing, learned Counsel for the fifth respondent fairly submitted that if there is any encroachment, the fifth respondent will remove the same.

3.In view of the said statement made by the learned Counsel for the fifth respondent, we direct the fourth respondent Tahsildar to conduct survey in the property in question in the presence of both the petitioner and the fifth respondent. If it is found that there is any encroachment, the fifth respondent shall remove the same as undertaken by him.

4.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

[D.K.K.,J.] & [M.S.K.,J.]

22.01.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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and
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ORDER MADE IN
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