

W.P.(MD)No.248 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE MR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.248 of 2025

A.P.Sundari

: Petitioner

Vs.

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

2.The Block Development Officer,
Madurai East Panchayat,
Madurai.

3.The Executive Engineer,
District Rural Development Office,
Madurai District, Madurai.

4.The Assistant Engineer,
(For Roads & Bridge),
Madurai Division, Madurai.

5.Rajangam

6.R.Kamalakannan

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 4 to complete the road laying work fully by the contractor of Sree Jayalakshmi Electricals as per the order of the first respondent including the Madurai-Melur Road to Thiruvalluvar Nagar road without any hindrance of the fifth and sixth respondents and direct the respondents 1 to 4 to remove the encroachment made by the fifth and sixth respondents in the public road in Survey No.158/5A, Thiruvalluvar Nagar, Madurai East Taluk, Kodikulam 1st Bit, Madurai District which is an access to the Bhagavathy Nagar residential people by considering the petitioner's representation dated 05.12.2024, within the stipulated time.

For Petitioner : Mr.S.Senthil Kumar

For Respondents 1 to 3 : Mr.P.Thilak Kumar

Government Pleader

ORDER

[Order of the Court was made by M.S.RAMESH, J.]

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

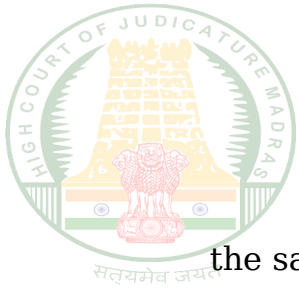


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2.This Writ Petition has been filed for a Writ of Mandamus, directing the respondents 1 to 4 to complete the road laying work fully by the contractor of Sree Jayalakshmi Electricals as per the order of the first respondent including the Madurai-Melur Road to Thiruvalluvar Nagar road without any hindrance of the fifth and sixth respondents and direct the respondents 1 to 4 to remove the encroachment made by the fifth and sixth respondents in the public road in Survey No.158/5A, Thiruvalluvar Nagar, Madurai East Taluk, Kodikulam 1st Bit, Madurai District which is an access to the Bhagavathy Nagar residential people by considering the petitioner's representation dated 05.12.2024.

3.In the representation made by the residents of Bhagavathy Nagar dated 01.10.2024, it is admitted that the land in question is a patta land standing in the name of R.Kamalakannan / sixth respondent herein. The prayer in the present Writ Petition is for removal of the encroachment in the said patta land, which prayer is apparently on a misconception of facts. When the petitioner himself has admitted that a patta has been granted over the subject land in favour of the sixth respondent herein, claiming



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the same to be an encroachment is untenable. As such the prayer in the writ petition does not deserve consideration.

4.Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

[M.S.R.,J.] & [A.D.M.C.,J.]
07.01.2025

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

MR

ORDER MADE IN
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07.01.2025