

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2015

C O R A M

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. No.21357 of 2015

Vijayakumar G Dhas

... Petitioner

Vs

1. The District Collector
Thiruvallur District
Thiruvallur.
2. The Commissioner
Poonamallee Municipality
Poonamallee
Chennai 600 056.
3. The Tahsildar
Poonamallee Taluk
Thiruvallur District.

... Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India seeking for the issuance of a writ of mandamus to direct the third respondent to consider the petitioner's representation dated 2/3/2015 and to remove the encroachments made in the public pathway within the stipulated time.

For petitioner : Mr.R.Sivakumar
for M/s.P.Sesubalan Raja

For respondents : Mr.R. Rajeswaran
Special Government Pleader.

O R D E R

(Order of the Court was made by SATISH K. AGNIHOTRI,J.,)

With the consent of the learned counsel for the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed seeking a direction to the third respondent to consider the petitioner's representation dated 02.03.2015 and to remove the encroachment made in the public pathway within a stipulated time.

3. The grievance of the petitioner is that the petitioner had intimated all the respondents, by a communication dated 02.03.2015, pointing out that there is a serious encroachment on the public pathway i.e. Queen Victoria road. Taking note of his representation, the first respondent by letter dated 17.03.2015, directed the third respondent to take appropriate action on the petitioner's representation dated 02.3.2015.

4. According to the learned counsel for the petitioner, no action has been initiated till date. The encroacher is openly claiming that nothing would happen to his encroachment.

5. Learned Special Government Pleader fairly submits that necessary action will be taken at the earliest in accordance with law and on merits.

6. Considering the limited relief sought in this writ petition, without expressing any opinion on the merits of the case, we direct the respondents to ensure that the encroachment, if any, is removed after notice to the alleged encroachers, in accordance with law and on merits, as early as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

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Sub Assistant Registrar

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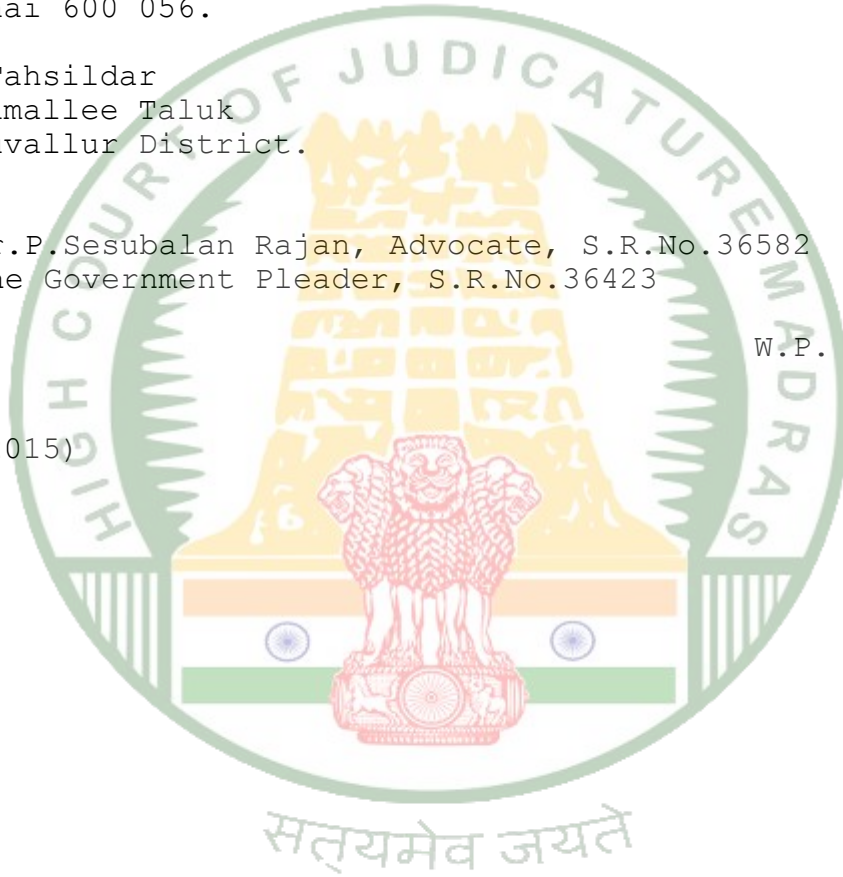
To

1. The District Collector
Thiruvallur District
Thiruvallur.
2. The Commissioner
Poonamallee Municipality
Poonamallee
Chennai 600 056.
3. The Tahsildar
Poonamallee Taluk
Thiruvallur District.

+1cc to Mr.P.Sesubalan Rajan, Advocate, S.R.No.36582
+1cc to the Government Pleader, S.R.No.36423

W.P. No.21357 of 2015

RJ(CO)
CA(31/07/2015)



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