

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22/7/2015

C O R A M

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

W.P. No.21833 of 2015

B. Anand Kumar

...Petitioner

Vs

The Commissioner
Coimbatore Corporation
Coimbatore 641 001
Coimbatore District.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking writ of mandamus to direct the respondents to consider the petitioner's representation dated 1/6/2015 and thereby direct the respondent to remove the temple on the road side which is put up opposite to Shop No.44 and near the petitioner's house Door No.33 at Thenppakulam, 4th Street, Coimbatore, Coimbatore District.

For petitioner : Mr.M.V.Muralidaran

For respondent : Mr.K.Magesh

O R D E R

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

Mr.K. Magesh takes notice on behalf of the respondent. With the consent of the learned counsel for the parties, the matter is taken up for final disposal, at the admission stage itself.

2. The petitioner, stated to be a resident of Theppakulam Street No.4, Sukkaravarpettai Post, Coimbatore District. According to the petitioner, the petitioner has found encroachment on the road side which is put up opposite to Shop No.44 and near the petitioner's house. The facts have been reported in several newspapers also. The

petitioner is aggrieved by unauthorized encroachment on the public street and as such a representation was made on 1st June, 2015 before the respondent for initiating necessary action for removal of the alleged encroachment on the public road.

3. Considering the afore-stated facts, we direct the respondent to examine the representation of the petitioner dated 1st June, 2015 and on inspection, if it is found that there is encroachment on public street, take necessary steps for removal of the encroachment, in accordance with law on its own merit, after affording proper opportunity of hearing to the alleged encroachers. Such an exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

4. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

mvs.

To

The Commissioner
Coimbatore Corporation
Coimbatore 641 001
Coimbatore District.

1 CC to Mr.M.V.Muralidaran, Advocate SR.No. 37834

1 CC to Mr.K.Magesh, Advocate SR.No. 37090

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TM (CO)
PSI (04.08.2015)