

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28-7-2015

CORAM:

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

W.P. No.22794 of 2015
M.P.No.1 of 2015

Padmavathi

Petitioner

Vs.

The Commissioner,
Vandavasi Municipality,
Tiruvannamalai District.

Respondent

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Certiorarified Mandamus calling for records pertaining to Na.Ka.No.923/2015/F1 dated 6.7.2015 issued by the respondent and quash the same and consequently direct the respondent not to remove the construction of the petitioner.

For Petitioner : Mr.M.Jaikumar

For Respondents : Mr.P.S.Sivashanmugasundaram
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, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner, admitting that he is an encroacher in S.No.40/1 at Kottai Colony, Vandavasi, Tiruvannamalai, submits that he was issued with the impugned eviction notice dated 6th July, 2015, ignoring his pitiable condition that he has no other place to live, except the place where he now lives in a corner, which does not cause any nuisance to the public at large. It is further contended that there are lot of encroachments in the area, and the authorities have not taken any steps for removal of those encroachments.

3. Without going into the merits of the case, on perusal of the documents it appears that the impugned notice is issued on the basis of a Road Safety Committee's decision. It appears that except the place where the petitioner is now occupying, he has no other place to live.

4. In that view of the matter, we grant two weeks' time to the petitioner to make appropriate representation to the District Collector, Tiruvannamalai, putting forth his case. If such a representation is made within two weeks, the District Collector, Tiruvannamalai is directed to look into the grievance of the petitioner and take appropriate measures to ensure that the petitioner is not without shelter. If the petitioner cannot be permitted to continue in the present encroached area, some other place be allotted to the petitioner, extending proper shelter.

The writ petition stands disposed of with the above directions. No costs. Connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

vr

To

1. The Commissioner, Vandavasi Municipality, Tiruvannamalai District.

2. The District Collector, Tiruvannamalai District.

W.P. No.22794 of 2015

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