

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2015

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Dr. JUSTICE P.DEVADASS

W.P.No.34793 of 2015
and
M.P.No.1 of 2015

S.Palanisamy

... Petitioner

Vs.

1. The Director of Town and Country
Planning,
807, Anna Salai, Chennai - 2.

2. The Managing Director,
Tamil Nadu Housing Board,
439, Anna Salai, Chennai - 35.

3. The Commissioner,
Corporation of Coimbatore,
Coimbatore - 641 001.

4. The Deputy Director/Member
Secretary,
Local Planning Authority,
Corporation Commercial Complex,
Tatabad, Sivananda Colony,
Coimbatore - 641 012.

5. The Executive Engineer cum
Administrative Officer,
Coimbatore Housing Board
Division, Tatabad,
Coimbatore - 641 012.

6. P.Prabha

7. Krithika Suresh Babu

8. Josephine Flora

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents 1 to 5 to enquire and take action against the respondents 6 to 8 herein who were attempting to make constructions in the area demarcated as "Public Purpose" along with 10 feet pathway being used by the public in between Plot Nos.1024 and 1025 approved in the layout "DTP No.LP/DTCP No.628/93 (LP No.295/1990) situated in SF No.71 Part, Ganapathy Village, Coimbatore District in the light of the petitioner's representation dated 07.09.2015.

For Petitioner : Mr.K.S.Karthik Raja

For Respondents : Mr.P.S.Sivashanmugha Sundaram,
Spl. Govt. Pleader for R1 & R4
Mr.V.Anandha Moorthy for R2 & R5
Mr.D.Krishnakumar for R3

ORDER

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

With the consent of learned counsel for the parties, the writ petition is taken up for final disposal.

2. Seeking a direction to respondents 1 to 5 to enquire and take action against respondents 6 to 8 in respect of the alleged construction on a public road between Plot Nos.1024 and 1025 approved in the layout DTP No.LP/DTCP No.628/93 (LP No.295/1990) situated in SF No.71 Part, Ganapathy Village, Coimbatore District in the light of the petitioner's representation dated 07 September 2015, the instant writ petition is filed.

3. On notice, Mr.D.Krishnakumar, learned standing counsel appearing for the third respondent submits that the representation dated 07 September 2015, which is stated to be pending with the authorities, will be examined and necessary action in accordance with law and on its own merits for removal of encroachment, if any, will be taken, within a period of four weeks from the date of receipt of a copy of this order.

4. In view of the above submission made by the learned counsel appearing for the third respondent, it is ordered accordingly.

5. It is needless to state that no adverse action including removal of encroachment be taken without affording an opportunity of hearing to all the alleged encroachers.

6. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

mmi

To

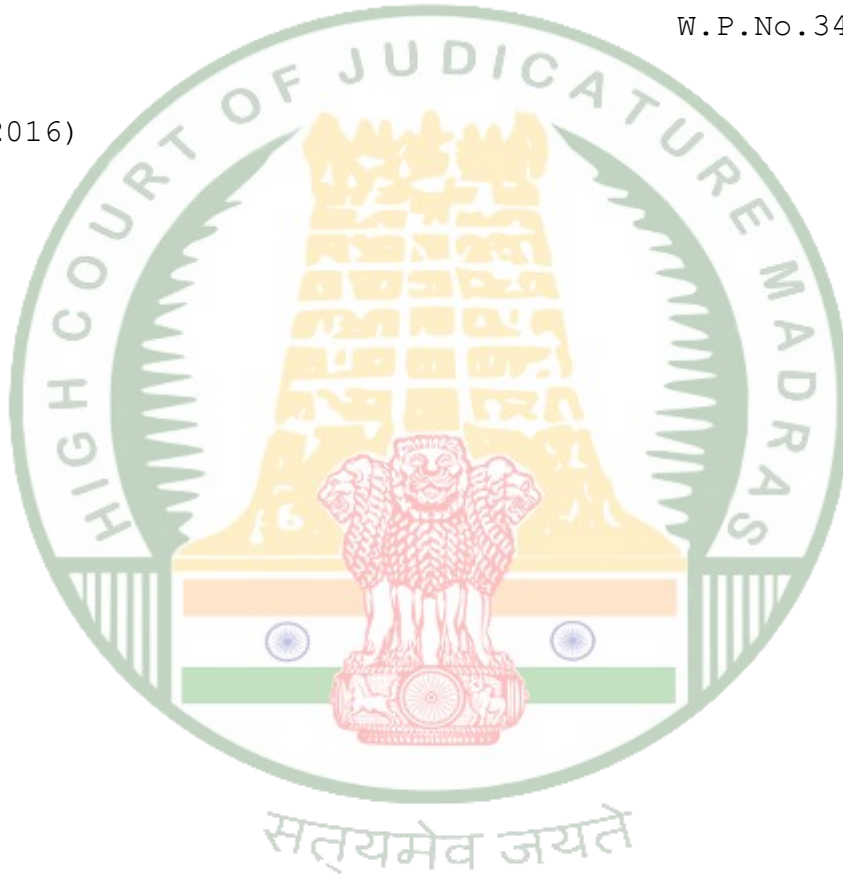
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5. The Executive Engineer cum
Administrative Officer,
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Coimbatore - 641 012.

+1cc to Mr.V.Anandha Moorthy, Advocate, S.R.No.68706
+1cc to Mr.D.Krishnakumar, Advocate, S.R.No.68391
+1cc to Mr.K.S.Karthik Raja, Advocate, S.R.No.68341

W.P.No.34793 of 2015

TEJ(CO)
CA(05/01/2016)



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