

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE DR.JUSTICE P. DEVADASS

W.P.No.36296 of 2015

M. Mutharasi ... Petitioner

Vs

1 The Commissioner
Coimbatore Municipal Corporation,
Kadai Veethi, Coimbatore-1.

2 The Assistant Commissioner
Central Zone Coimbatore Municipal
Corporation Coimbatore-18.

3 The City Planning Officer
Coimbatore Municipal Corporation,
Kadai Veethi Coimbatore-1.

4 Balaji

5 S.Vijayalakshmi

6 Sai Sankara Subramanian ... Respondents

Writ petitions filed under Article 226 of the Constitution seeking for the issuance of a writ of mandamus to direct the respondents to consider the representation of the petitioner dated 26.8.2015.

For Petitioner : Mr.B. Nedunchezhiyan

For Respondents: Mr. R. Sivakumar
R1 to R3

- - - - -

ORDER

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

Mr.R. Sivakumar, learned counsel, accepts notice for the respondents 1 to 3 . Notice to respondents 4 to 6 is dispensed with at this stage, as no adverse order is passed against them in this writ petition. Thus, with the consent of the learned counsel for the petitioner and the learned counsel for the official respondents, the writ petition is taken up for final disposal, at the admission stage itself.

2 The petitioner, claiming to be the owner of the property bearing S.No. 175 Part, ward No.73 Ramasamy Nagar, has made a representation dated 26th August, 2015 to the respondents 1 to 3, seeking removal of the encroachment on the public road. Since the said representation has not been given heed to by the authorities, the instant writ petition has been filed by the petitioner for a direction to consider her aforestated representation and take consequential action for removal of the encroachment on the public road.

3 Mr.R. Sivakumar, learned counsel, appearing for the respondents 1 to 3 submits that the aforestated representation will be considered and necessary action will be taken for removal of the alleged encroachment made by the respondents 4 to 6, in accordance with law, within a period of four weeks.

4 In view of the above submission made by the learned counsel for the respondents 1 to 3, without going into the merits of the case, the respondents 1 to 3 are directed to consider the petitioner's representation dated 26th August, 2015 and take necessary consequential action, after proper survey and inspection and also after affording an opportunity of hearing to the alleged encroachers, including the respondents 4 to 6 herein.

5 This writ petition stands disposed of with the above direction. Costs made easy.

ra.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

- 1 The Commissioner
Coimbatore Municipal Corporation,
Kadai Veethi, Coimbatore-1.
- 2 The Assistant Commissioner
Central Zone Coimbatore Municipal
Corporation Coimbatore-18.
- 3 The City Planning Officer
Coimbatore Municipal Corporation,
Kadai Veethi Coimbatore-1.

+ 1 cc to Govt.Pleader, SR 62014

+ 1 c to M/s.B.Nedunchezhiyan, Advocate SR 61839

vd(co)
prk2/12

W.P. No.36296 of 2015



WEB COPY