



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.18720 of 2015

T.Gurusamy

... Petitioner

Vs.

The Municipal Commissioner,
Theni Allinagaram Municipality,
Theni District.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to remove the encroachments made in Survey No. 753 and 525 at Kinattru street Pandiayan Nagar Allinagaram Theni district within the limits of Theni Allinagaram Municipality.

For Petitioner

: Mr.Sivachandran

For Respondent

: Mr.K.Hemakarthiskeyan,
Special Government Pleader.

ORDER

(Order of the Court was made by R.SUDHAKAR,J.)

The petitioner has come forward with this writ petition seeking for a direction to the respondent to remove encroachments made in Survey No. 753 and 525 at Kinattru street, Pandiayan Nagar, Allinagaram, Theni District within the limits of Theni Allinagaram Municipality.

2.According to the petitioner, some persons have encroached by making construction to an extent of 4 feet out of 10 feet width lane. Therefore, he has made representation to the respondent on 28.09.2015. Since no order has been passed, the present writ petition has been filed.

3.Considering the limited prayer sought for in the writ petition and without expressing any opinion on the merits of the case, the respondent is directed to consider the representation of the petitioner dated 28.09.2015 and pass appropriate orders on merits and in accordance with law after giving opportunity to all the parties concerned, so as to avoid allegations of violation of principles of natural justice within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar.

To

The Municipal Commissioner,Theni Allinagaram Municipality,Theni District.

+1CC to Mr.K.HemaKarthiskeyan, Advocate, SR.No. 60801

+1CC to Mr.P.Sivachandran, Advocate, SR.No. 61362