



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2015

CORAM:

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

W.P. (MD) No. 2556 of 2015

WEB COPY

N. Sakthivel

: Petitioner

Vs.

1. The District Collector,
The District Collectorate Office,
Madurai.

2. The Commissioner,
Madurai Corporation, Madurai.

3. The Tahsildar,
Madurai West Taluk, Madurai.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus, directing the second respondent to remove the encroachment walls constructed across in the public pathways at Ramalingam Nagar Extension, Ponmeni & Kokulappi Village, Madurai West Taluk, by implementing the direction of the first respondent in proceedings Na.ka.No.453/2015/J3, dated 06.01.2015 based on the inspection report given by the third respondent in his proceedings in Na.Ka.No.7069/2014/C, dated 15.12.2014 within the period stipulated by this Honourable Court.

For Petitioner : Mr.S.Selvakumar

For Respondents : Mr.S.Chandrasekar

Government Advocate, takes notice on behalf of R1 & R3

For Respondent No.2 : Mr.R.Prabhu Ramachandran

O R D E R

Mr.S.Chandrasekar, learned Government Advocate, takes notice for the respondents. By consent, the Writ Petition is taken up for disposal at the stage of admission itself.

2. The petitioner seeks a Writ of Mandamus, directing the second respondent to remove the encroachment walls constructed across in the public pathways at Ramalingam Nagar Extension, Ponmeni & Kokulappi Village, Madurai West Taluk, by implementing the direction of the first respondent in proceedings Na.Ka.No.453/2015/J3, dated 06.01.2015 based on the inspection report given by the third respondent in his proceedings in Na.Ka.No.7069/2014/C, dated 15.12.2014.

3. The only grievance of the petitioner is that unauthorized constructions have been put up in a public pathway by one I.Siluvai. In this connection, the petitioner made a representation to the respondents 1 and 2, on 27.10.2014. The first respondent directed the third respondent to conduct field inspection and submit a report. The third respondent conducted inspection and also submitted a report through his proceedings dated 15.12.2014. Based on the same, the first respondent,



by his proceedings dated 06.01.2015, directed the second respondent to remove the encroachment. In spite of such a direction, the second respondent has not taken any action and therefore, the petitioner is before this Court.

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4. In such view of the matter, the second respondent will issue notice to the alleged encroacher, give him an opportunity and thereafter pass appropriate orders, by taking into account the proceedings dated 06.01.2015, issued by the District Collector, within a period of four months from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of on the above terms. No costs.

Sd/-

Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar

To

1.The District Collector,
The District Collectorate Office,
Madurai.

2.The Commissioner,
Madurai Corporation, Madurai.

3.The Tahsildar,
Madurai West Taluk, Madurai.

+1cc to Mr.R.Prabhu Ramachandran, Advocate SR.No.9093

+1cc to Special Govt.Pleader,SR.No.9506

ORDER MADE IN
W.P. (MD) No.2556 of 2015
DATED - 26.02.2015

NB

PA/13.03.2015/2P/6C