



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.14909 of 2013

K.Muthiah Konar

... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Commissioner,
Madurai Corporation,
Arignar Anna Maligai,
Madurai 20.

3.Serin Sheriff

4.Mahadevan

5.A.Akthar Begum

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the 2nd respondent in Ma.1Po6/13911/2012 dated 06.2013 and quash the same and direct the second respondent to remove the encroachments made in Thomas Colony, 20 feet Road in Survey Nos.3/3A, 3/A B C and 2/A B C and to ensure the 20 feet road for the public usage by considering the petitioner's representation dated 12.01.2013.

For Petitioner : Mr.A.Haja Mohideen

For 1st Respondent : Mr.C.Selvaraj,
Special Government Pleader.

For 2nd Respondent : Mr.R.Murali

For 4th Respondent : Mr.K.Samidurai

For 3rd Respondent : No appearance

ORDER

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

The prayer in the writ petition is to call for records from the second respondent in Ma.1Po6/13911/2012 dated ..06.2013 and quash the same and direct the second respondent to remove the encroachments made in Thomas Colony, 20 feet Road in Survey Nos.3/3A, 3/A,B,C and 2/A,B,C, by considering the petitioner's representation dated 12.01.2013.



2. We are not inclined to accept the request of the petitioner to consider the representation of the petitioner dated 12.01.2013, for the simple reason that in respect of the very same relief, the present petitioner has filed WP(MD)No.1547 of 2013, wherein a direction was issued to the second respondent therein to consider the representation of the petitioner within a time frame. Against which, Cont.P(MD)No.557 of 2013 was filed and the same has also been closed. Therefore, the relief sought for by the petitioner cannot be granted.

3. In view of the above, this writ petition is dismissed. No costs. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District,
Madurai.

2. The Commissioner,
Madurai Corporation,
Aringar Anna Maligai, Madurai-20

+1cc to Mr.K.Samidurai, Advocate Sr.No.52660
+1cc to Mr.A.Haja Mohideen, Advocate Sr.No. 52603
+1cc to Spl.GOvernemnt Pleader Sr.No. 52904
mj
AA/18.09.2015/2p-6c

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