

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.04.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P. No.13381 of 2016
and W.M.P.No.11735 of 2016

S.Kaviarasan ... Petitioner

-vs-

1.The District Collector,
O/o.District Collector,
Nagapattinam.

2.The Commissioner,
Mayiladuthurai Municipality,
Mayiladuthurai.

3.Kayambu ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 1 and 2 to stop the illegal encroachment done by the 3rd respondent in the channel and in the children park situated in T.S.No.85, Old T.S.No.506/1, 508 & 510/1A, Ward No.4, Block No.11, extent of 2,627 sq.ft. in Mayiladuthurai Town, Mayiladuthurai, and to restore the same by clearing the encroachment made by the 3rd respondent.

For Petitioner : Mr.A.Tamilvanan

For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.R.Kamalanathan, Addl.G.P. &
Mr.V.Shanmugasundar, G.A.,
for RR 1 & 2.

* * * * *

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

Notice, which is accepted by Government Pleader for respondents 1 and 2.

2.The petitioner's case is that after breaking the compound wall of the land donated for a children park, the third respondent seeks to make a road to his land. It is submitted that such an endeavour was made even earlier, which was prevented, but now the second respondent is taking no action.

3.In view of the aforesaid, we call upon the second respondent to immediately look into the matter by causing an inspection at site within three (3) days of receipt of this order and pass necessary interim orders to prevent any illegality which may be going on at site and thereafter, decide the whole issue within two (2) months of receipt of this order, after notice to all concerned by a speaking order.

4.Writ petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.11735 of 2016 stands closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sra

To

1.The District Collector,
O/o.District Collector,
Nagapattinam.

2.The Commissioner,
Mayiladuthurai Municipality,
Mayiladuthurai.

+1 cc to Mr.A.Tamilvanan Advocate sr.22545

W.P.No.13381 of 2016

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