

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2016

CORAM

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

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

W.P.No.20934 of 2009

A.P.Balasubramanian

.. Petitioner

-vs-

1. The District Collector,
Erode District.

2. The Tahsildar,
Erode Taluk,
Erode District.

3. The Commissioner,
Erode City Corporation,
Erode District.

4.P.Ayyappan

5.R.Sivakumar

6.R.Susila

.. Respondents

(Respondent Nos.4 to 6 impleaded as per
the order in M.P.No.1 of 2009, dt. 30.10.2009)

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to take necessary action on the representation of the petitioner dated 30.01.2009 submitted regarding the removal of the encroachment in the public street situated at Kaveri Nagar, Old Revenue Ward No.2, Municipal Ward No.2, Brahmana Agraharam village, Erode Municipal Limit, Erode Taluk, Erode District in accordance with law.

For Petitioner : Mr.A.Ramalingam

For Respondents: Mr.V.R.Kamalanathan
Addl.Government Pleader
assisted by
Mr.V.Shanmugasundar
Government Advocate for R1 to R3
Mr.N.Manokaran for R4 to R6

ORDER

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

The writ petition is seven years old and the grievance of the petitioner is that he had purchased a house site land property situated in Kaveri Nagar in Plot No.82, Old Revenue Ward No.2, Municipal Ward No.2, Brahmana Agraharam village, comprised in Old T.S.No.17, New T.S.No.10/2, Erode Municipal Town Limit and there was a public street having width of 30 feet adjacent to it. The allegation is of encroachment on the street. The layout plan is also stated to specify the same as a public street.

2. In view of the aforesaid facts and circumstances, we direct respondent No.2 to look into the issue from the current perspective and if there are existing encroachments of any part of the roads, action in accordance with law be taken after notice to all concerned within a maximum period of three months from the date of receipt of this order.

3. The writ petition, accordingly, stands disposed of. No costs.
bbr

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1.The District Collector,
Erode District.

2.The Tahsildar,
Erode Taluk,
Erode District.

3.The Commissioner,
Erode City Corporation,
Erode District.

+ 1 cc to M/s.N.Manokaran,Advocate, SR 24612

+ 1 cc to Mr.A.Ramalingam, Advocate, SR 24854

+ 1 cc to Govt.Pleader, High Court, Madras SR 24828

sai(co)
prk27/4

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