

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2016

CORAM

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M.VENUGOPAL

W.P. No.35931 of 2015
and
M.P.No.1 of 2015

1.R.Ponnusamy
2.P.Subbathal
3.C.R.P.Manoharon .. Petitioners

Vs.

1.The Principal Secretary to Government,
Municipal Administration and Water
Supply Department,
Fort St. George, Chennai - 9.
2.The Principal Secretary to Government,
Housing and Urban Development
Department, Fort St. George,
Chennai - 9.
3.The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore - 641 001. .. Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorarified mandamus calling for the records of the third respondent pertaining to the notice dated 23.10.2015 in the proceedings in Na.Ka.No.1757/15/M.H.1(W) and quash the same and consequently forbear the third respondent or its men and agents from interfering with the possession and enjoyment of the lands situate in S.F.Nos.411 and 415 Vadavalli Village, Coimbatore.

For Petitioners .. Mr.R.Suresh Kumar
for M/s.K.M.Vijayan Associates

For Respondents .. Mr.P.S.Sivashanmugha Sundaram,
Spl. Govt. Pleader for R1 & R2
Mr.R.Sivakumar for R3

ORDER

(Order of the Court was made by SATISH K.AGNIHOTRI, J.)

With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal.

2.The subject matter i.e. removal of encroachment in respect of the layout in the agricultural land in Survey Nos.409, 410, 411 and 415, Perur Taluk, Vadavalli Village is pending consideration in an appeal preferred before the State Government. The State Government, vide communication dated 08 December 2015 called upon the Coimbatore Corporation to submit a report.

3.Learned Special Government Pleader would submit that a detailed report has been submitted by the Coimbatore Corporation on 10 December 2015 and on the basis of the said report, the State Government will decide the dispute in accordance with law and on its own merits, within a period of two weeks from today.

4.In that view of the matter, no further adjudication or observation is necessary at this stage in this writ petition. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CSV)

True Copy

Sub-Assistant Registrar

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To

1.The Principal Secretary to Government,
Municipal Administration and Water
Supply Department,
Fort St. George, Chennai - 9.

2.The Principal Secretary to Government,
Housing and Urban Development
Department, Fort St. George,
Chennai - 9.

3.The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore - 641 001.

+1 cc to Mr.K.M.Vijayan Advocate Associates
sr.7055
+1 cc to Mr.R.Sivakumar Advocate sr.6990
+1 cc to Government pleader sr.7331

W.P.No.35931 of 2015

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