

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.9.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.25913 of 2016

S.S.Sithaiyan

Petitioner

Versus

- 1 The District Collector
Salem
- 2 The Assistant Director
Town Panchayat Assistant Director Salem
- 3 The Tahsildar, Sankari
Salem District.
- 4 The Executive Officer
Thevur Town Panchayat
Sankari Taluk Salem District
- 5 M.Arumugam

Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to remove the encroachments made on the public street viz., Subramania Gounder Street, which is situated in S.No.615 of Thevoor Village, Sankari Taluk, by considering the petitioner's representation dated 21.6.2016.

For petitioner : Mr.R.Ezhilarasan

For RR1 to 3 : Mr.P.S.Sivashanmugasundaram,
Special Govt. Pleader

ORDER

(Order of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the petitioner and Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader appearing for respondents 1 to 3.

2. The writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to remove the encroachments made on the public street viz., Subramania Gounder Street, which is situated in S.No.615 of Thevoor Village, Sankari Taluk, by considering the petitioner's representation dated 21.6.2016.

3. The case of the petitioner is that the land in question is a pathway for the villagers and therefore, himself and the villagers are aggrieved over an encroachment alleged to have been made by the fifth respondent and they had already given a representation on 21.6.2016 to the first respondent, but, since no action is taken on such a representation, the present writ petition has been filed.

4. Considering the facts and circumstances of the case, the first respondent is directed to consider the abovesaid representation and pass orders, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order, after giving opportunity of hearing to both petitioner and the fifth respondent. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

ssk.

To:

- 1 The District Collector
Salem
- 2 The Assistant Director
Town Panchayat Assistant Director Salem
- 3 The Tahsildar, Sankari
Salem District.
- 4 The Executive Officer
Thevur Town Panchayat
Sankari Taluk Salem District

+1 cc to Government Pleader, Sr.53809

+ 1 c.c.to Mr.R.EZHILARASAN, Advocate Sr.532165

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CTR(CO)
RVR 20/10/2016