

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.No.41315 of 2016

and

W.M.P.No.35265 of 2016

T.Meenakshisundaram .. Petitioner

-vs-

1.The District Collector,
Nilgiris District,
Udhagamandalam.

2.The Revenue Divisional Officer,
Udhagamandalam Division,
Udhagamandalam,
Nilgiris District.

3.The Tahsildar,
Udhagamandalam Taluk,
Udhagamandalam.

4.The Municipal Commissioner,
Udhagamandalam Municipality,
Udhagamandalam,
Nilgiris District.

5.G.Sivaraj .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari, to call for the records relating to the impugned Notice dated 01.11.2016 of the fourth respondent made in Na.Ka.No.4394/2016/F1 and to quash the same.

For Petitioner	:	Mr.S.Ravichandran for M/s.D.Nandagopal
For Respondents	:	Mr.M.K.Subramanian Govt. Pleader for R1 to R3 Mr.P.Srinivas for R4

ORDER

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

The order of the District Collector dated 31.10.2016 records the encroachments by the petitioner as under:-

- (1) 2.0 meter breadth and 3.6 meter length encroached Zinc shed put up and in usage.
- (2) The same Survey Number 13 meter length and 5 meter breadth encroached to lay out the cement flooring is put up.
- (3) A present new Tin shed has put up and encroached in the same place by Mr. Meenakshisundaram.

2. The encroachments by the said order had been found to be objectionable and fifteen days time was granted to remove the encroachments.

3. The only plea raised by the petitioner is that he has a right of appeal. On our query as to whether the allegations are correct or not, the learned counsel for the petitioner is unable to dispute the same, though he states that all these are temporary in character. We feel that once there is an admission of the violations, what could really arise in the appeal.

4. We are, thus, not inclined to entertain the writ petition.

5. The writ petition is dismissed. No costs. Consequently, W.M.P.No.35265 of 2016 is also dismissed.

Sd/-

Assistant Registrar

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

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To

1. The District Collector,
Nilgiris District, Udhagamandalam.
2. The Revenue Divisional Officer,
Udhagamandalam Division,
Udhagamandalam, Nilgiris District.
3. The Tahsildar,
Udhagamandalam Taluk, Udhagamandalam.

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4.The Municipal Commissioner,
Udagamandalam Municipality,
Udhagamandalam, Nilgiris District.

+2cc to Mr.D. Nandagopal, Advocate, S.R.No.68898
+1cc to Mr.P. Srinivas, Advocate, S.R.No.68885
+1cc to the Government Pleader, S.R.No.69197

mv (CO)
md(05/12/2016)

W.P.No.41315 of 2016



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