



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MS. JUSTICE V.M.VELUMANI

W.P. (MD) No.18368 of 2016

Chandrasekaran

... Petitioner

Vs.

1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

2.The Regional Director of Municipalities,
Gandhiji Road,
Thanjavur.

3.The Municipal Commissioner,
Manapparai Municipality,
Manapparai
Tiruchirappalli District.

4.R.Venktesan

5.V.Sujatha

6.Sugumaran

7.Mathanagopal

8.Baskar

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachments made by the 4 to 8 respondents as per the petitioner representation, dated 20.08.2013 and also in reference with 3rd respondent letter Na.Ka.No.8434/2013/F-1, dated 22.02.2013.

For Petitioner : Mr.G.Pandiarajan

For Respondents : Mr.A.Muthukaruppan
(R1 & R2) Addl.Govt.Pleader

For Respondent-3 : Mr.J.Lawrance

ORDER

(Order of this Court was made by M.SATHYANARAYANAN, J.)

By consent the Writ Petition is taken up for final disposal.

2. According to the petitioner, the private respondent viz., R4 to R8 had encroached upon the road connecting Muniyppan Samy Nagar to Manapparaipatti Road admeasuring to an extent of 800 feet in length and 20 feet width by constructing the compound wall as well as other structures and thereby reducing the access of the said pathway and as a consequence, the residents including the petitioner is to put grave hardships and difficulties and in this regard, he submitted numerous representations to the respondents and last of such representation was given to the first respondent on 15.09.2013 and inspite of receipt and acknowledgement, no orders have been based to abate the nuisance and hence, filed this wit petition.

3. The learned counsel appearing for the petitioner would submit that in response to his representation, the 3rd respondent has also given a reply dated 22.02.2013 in Na.Ka.No.8434/2013-F1 wherein, in respect of the act of encroachment committed by the 6th respondent, necessary instructions have been given to remove the same.

4. The Court heard the submission of Mr.A.Muthukaruppan, the learned Additional Government Pleader, who accepts notice for respondents 1 and 2.

5. Though the petitioner prayed for a larger relief, this Court in the light of the facts and circumstances, without going into the merits of the same, directs the 3rd respondent to act on his communication dated 22.02.2013 and after putting the respondents 4 to 8 on notice shall take steps in accordance with law and pass appropriate orders, within a period of 10 weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as respondents 4 to 8.

6. The Writ Petition is disposed of accordingly. No costs.

Sd/

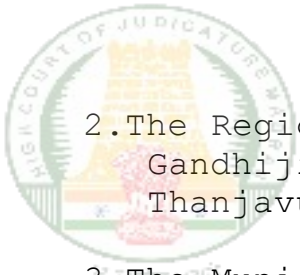
Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar.

To

1.The District Collector,
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Tiruchirappalli.



2.The Regional Director of Municipalities,
Gandhiji Road,
Thanjavur.

3.The Municipal Commissioner,
Manapparai Municipality,
Manapparai
Tiruchirappalli District.

+1CC to M/S. G.Pandiarajan, Advocate, SR.No. 55541

+1CC to the Special Government Pleader, SR.No. 56117

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mpk

AM/DB/14.10.2016/3P/6C