



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.[MD].No.22344 of 2016

R.Shanmugam

:Petitioner

Vs.

1.The Commissioner,
Town and Country Planning,
807, Mount Road,
Chennai-2.

2.The District Collector,
Madurai District,
Madurai.

3.The Deputy Director,
Town and Country Planning,
No.4, Hahim Ajmalkhan Road,
Chinnachokkikulam,
Madurai-2.

4.The Executive Officer,
Vadipatti Town Panchayat,
Vadipatti,
Madurai District.

5.S.Elangovan

:Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the illegal encroachments and unauthorized constructions in Survey No.17/1B, Ward No.18, Bodinayakkanpatti Village, Vadipatti Town Panchayat, Madurai District by taking appropriate action against the respondent No.5 on considering the petitioner's representation dated 26.04.2016.

For Petitioner : Mr.R.Shankar Ganesh

For Respondents 1to3 : Mr.S.Chandrasekar,
Government Advocate

For Respondent No.4 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

O R D E R

[Order of the Court was made by S.NAGAMUTHU, J.]

The petitioner has come up with this Writ Petition alleging that the fifth respondent has encroached upon the property comprised in Survey No.17/1B at Bodinayakkanpatti Village, Vadipatti Town Panchayat, Madurai District.

2. The learned counsel for the petitioner himself would submit that the said land in Survey No.17/1B is a private land belonging to the fifth respondent. If it is the grievance of the petitioner that the fifth respondent encroaches upon the road, the details of the road, which belongs to the Government, have not been furnished. The prayer in the Writ Petition is only for removal of the construction made on the land belonging to the fifth respondent, which is not possible. The Writ Petition is, therefore, dismissed. No costs.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

- 1.The Commissioner,
Town and Country Planning,
807, Mount Road,
Chennai-2.
- 2.The District Collector,
Madurai District, Madurai.
- 3.The Deputy Director,
Town and Country Planning,
No.4, Hahim Ajmalkhan Road,
Chinnachokkikulam,
Madurai-2.
- 4.The Executive Officer,
Vadipatti Town Panchayat,
Vadipatti, Madurai District.

+1cc to M/s.Mohamed Mohideen, Advocate in SR.71209
+1cc to the Special Government Pleader, in SR.71661

W.P.[MD].No.22344 of 2016
Dated: 22.11.2016