

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2017

CORAM :

The Hon'ble MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.No.4432 of 2017

M/s.Vadakailasam Vari Alippore Sangam,
rep. by its President a.Savarimuthu,
having office at No.31/A/4, Link Road,
Panruti - 607 106. .. Petitioner

-vs-

- 1.The District Collector,
Cuddalore District,
Cuddalore.
- 2.The Superintendent of Police,
Cuddalore.
- 3.The Commissioner,
Panruti Municipality,
Panruti. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondent to remove the encroachment in Melapalayam Road / Bajanai Mada Veedi, Panruti as per the order dated 24.1.2000 passed by this Court in W.P.No.19107 of 1999 and W.M.P.No.27978 of 1999.

For Petitioner : Mr.M.Venkatachalapathy
Senior Counsel
for M/s.M.Sriram
For Respondents : Mr.T.N.Rajagopalan
Spl. G.P. for R1 & R2

ORDER

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

Mr.T.N.Rajagopalan, learned Special Government Pleader takes notice for respondent Nos.1 and 2.

2. Heard the learned counsel for parties.

3. The petitioner has filed this writ petition seeking

issuance of a writ of mandamus to direct the respondent to remove the encroachment in Melapalayam Road / Bajanai Mada Veedi, Panruti as per the order passed in W.P.No.19107 of 1999, dated 24.1.2000.

4. The petitioner is a Sangam and its members are situate around Link Road and Melapalayam Road / Bajanai Mada Veedi of Vadakailasam, Panruti. It is the case of the petitioner that the said Link Road links Panruti village to NH 36. Since the link road links the village to other areas, the commercial vehicles also ply through these roads. In the year 1996, some people have encroached the said roads. The petitioner sent a representation to the respondents seeking to remove the encroachment. Since no action was taken, the petitioner filed W.P.No.19107 of 1999 for removal of the encroachment in the said roads. The said writ petition was disposed of by this Court on 24.1.2000 directing the respondents to remove the encroachment. Even after the receipt of the copy of the order made in the aforesaid writ petition, the respondent/authorities have not taken any steps to remove the encroachment. Thereafter, the petitioner made representation and also issued a legal notice to the respondent/authorities. Even then the respondent/authorities have not taken any action. Hence, the present writ petition is filed for the relief stated supra.

5. Considering the facts and circumstances of the case, we direct the third respondent to initiate action in accordance with law for removal of the encroachment after proper identification by issuing due notice. The said exercise is directed to be completed within a period of two months of the receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

bbr

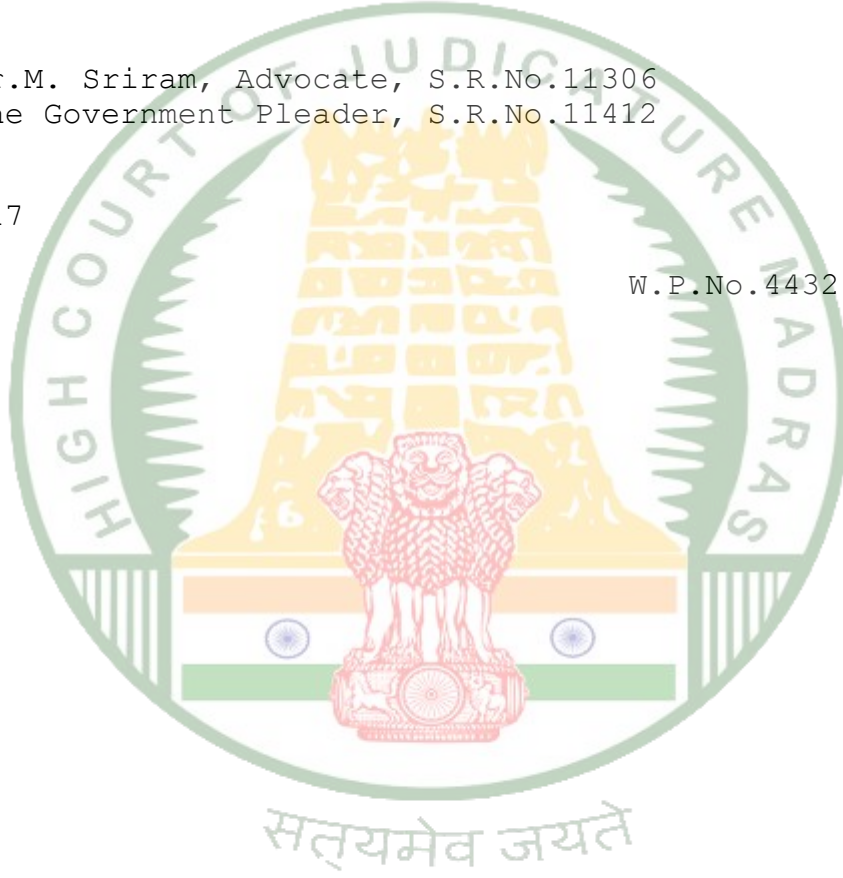
To

- 1.The District Collector,
Cuddalore District,
Cuddalore.
- 2.The Superintendent of Police,
Cuddalore.
- 3.The Commissioner,
Panruti Municipality,
Panruti

+1cc to Mr.M. Sriram, Advocate, S.R.No.11306
+1cc to the Government Pleader, S.R.No.11412

RSY (CO)
EU 02.03.17

W.P.No.4432 of 2017



WEB COPY