

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2017

CORAM

THE HON'BLE MS. INDIRA BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.13807 of 2017

B.Murugan .. Petitioner

Vs.

1. The Commissioner,
Avadi Municipality,
Avadi, Chennai - 600 054.

2. The Tahsildar,
Avadi Taluk Office,
Chennai- 600 054.

3. A.Sadhanandam ... Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the first respondent to consider and pass orders on the petitioner's representation dated 20.02.2017 in respect of illegal encroachment by the third respondent by putting up construction in 12 feet public road comprised in Survey No.93, East Mada Street, Kovilpadagai, Avadi, Chennai-600 062 in public road and demolish the same.

For Petitioner : Mr.R.Rajesh

For Respondents : Mr.P.Srinivas
for 1st respondent

Mr.R.Vijayakumar
Addl. Government Pleader
for 2nd respondent

ORDER

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

This writ petition has been filed by the petitioner seeking a writ of mandamus directing the first respondent to consider the representation of the petitioner dated 20.02.2017 qua encroachment made by the third respondent on public road in Survey No.93, East Mada Street, Kovilpadagai, Avadi, Chennai-600 062.

2. Mr.P.Srinivas, learned counsel accepts notice for the first respondent. Mr.R.Vijayakumar, learned Additional Government Pleader accepts notice for the second respondent.

3. The third respondent is a private respondent, who is alleged to have encroached upon and put up construction on the public road in Survey No.93, East Mada Street, Kovilpadagai, Avadi, Chennai-600 062.

4. The office of the respondents 1 and 2 shall cause joint inspection of the site in question i.e., public road in Survey No.93, East Mada Street, Kovilpadagai, Avadi, Chennai-600 062 to be made within a fortnight from the date of receipt of a copy of this order and if any encroachment is found, respondents 1 and 2 shall take action in accordance with law, after giving notice to all concerned, particularly the third respondent before us, and conclude the proceedings within a period of two months thereafter.

5. The writ petition, accordingly, stands disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

1. The Commissioner,
Avadi Municipality,
Avadi, Chennai - 600 054.

2. The Tahsildar,
Avadi Taluk Office,
Chennai - 600 054.

+1cc to Mr.P.Srinivas, Advocate Sr. 39984

+1cc to the Government Pleader, Sr. 40073

+1cc to M/S.R.Rajesh, Advocate Sr. 40261 (13/07/2017)

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VR(13/06/2017)



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