

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.12.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

W.P.No.34062 of 2017 and
WMP.NOs.37793 and 37794 of 2017

M.P.Vijayan

.. Petitioner

Vs

1. The District Collector,
Thiruvallur District,
Thiruvallur.

2. Minjur Town Grade Panchayat
rep. by its Executive Officer,
Thiruvallur District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in their Notice vide Na.Ka.No.153/2017/A2 dated 14.12.2017 for removal of encroachment in Ward No.13, Manikandan Avenue, Minjur Town Grade Panchayat, Ponneri Taluk, Thiruvallur District and quash the same and direct the respondents to forbear them from in anyway interfering with the petitioner's peaceful possession and enjoyment of the property at No.43, DVS Road (Kattur Road), Manikandan Avenue, Minjur, Ponneri Taluk, Thiruvallur District, in any manner, particularly, by way of dispossession or demolition.

For Petitioner : Mr.G.Mohanakrishnan
For 1st Respondent : Mr.T.M.Pappiah,
Special Government Pleader

ORDER

[Order of the Court was made by **M.S.RAMESH, J.**]

With the consent of both parties, the Writ Petition itself is taken up for final disposal.

2. Aggrieved against the Notice in Na.Ka.No.153/2017/A2 dated 14.12.2017 issued by the 2nd respondent, whereby the petitioner was called upon to remove the encroachment in Ward No.13, Manikandan Avenue, Minjur Town Grade Panchayat, Ponneri Taluk, Thiruvallur District, the present Writ Petition has been filed.

3. Though a larger prayer has been made in the writ petition, when the matter is called today, the learned Counsel appearing for the petitioner submitted that the petitioner would be satisfied, if his representation dated 20.12.2017 is directed to be considered by the 2nd respondent on merits.

4. Heard the learned Special Government Pleader appearing for the respondents.

5. In view of the limited prayer now made by the learned Counsel for the petitioner, there shall be a direction to the 2nd respondent to consider the representation of the petitioner dated 20.12.2017 on its own merits and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this Order.

6. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

[M.S.R.,J.]

[G.R.S.J.,]

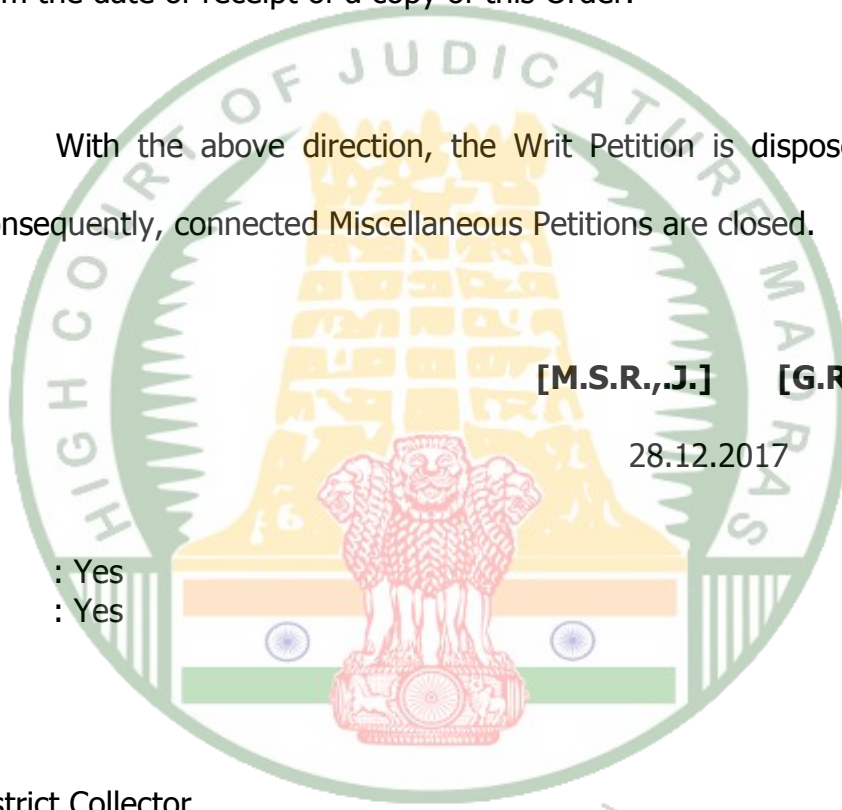
28.12.2017

Index : Yes
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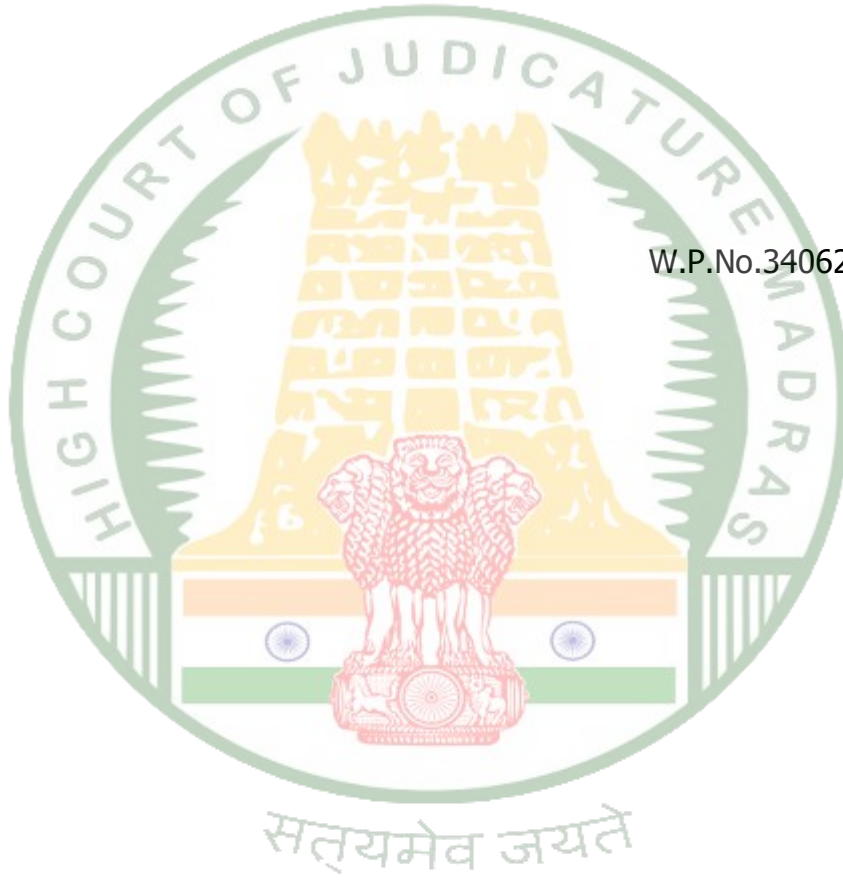
1. The District Collector,
Thiruvallur District,
Thiruvallur.

2. Executive Officer,
Minjur Town Grade Panchayat,
Thiruvallur District.



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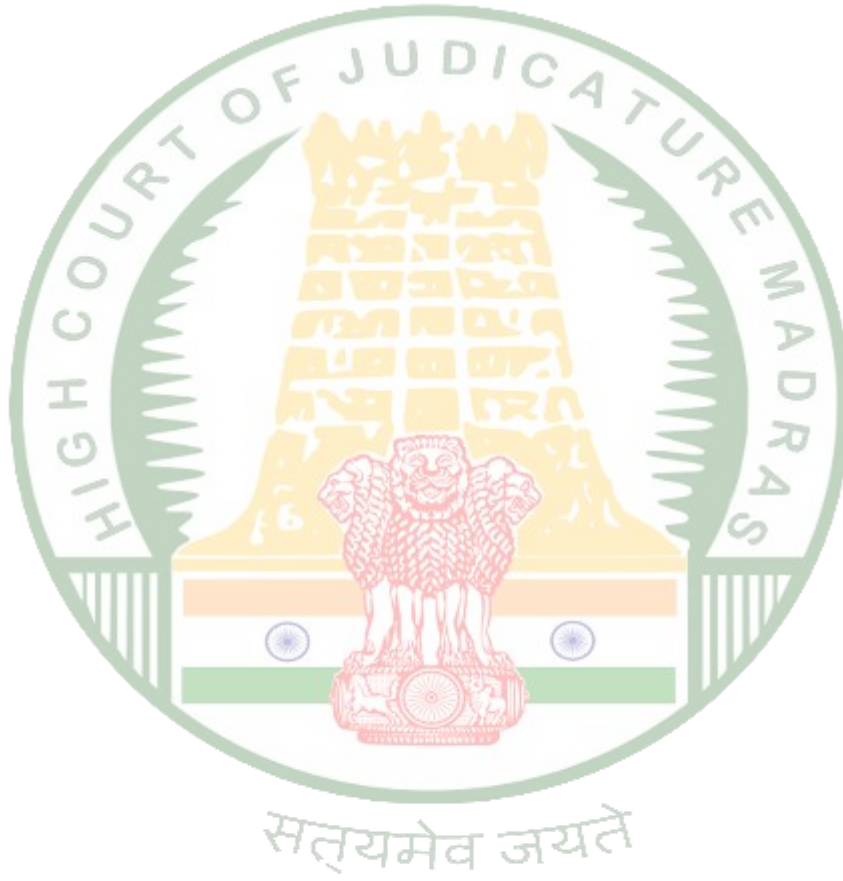
**M.S.RAMESH, J
AND
G.R.SWAMINATHAN,J.**



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