

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2017

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.32396 of 2015
and
M.P.No.1 of 2015

Kovai Maavatta Uthri Malar Maaligai
Thulasi Ialai Chengai Kanigal Poojai
Saamaangal Orunginaintha Mattrum
Pothu Nala Sangam, Rep. by its
President, S.Rajamanickam. ... Petitioner

-Vs-

1. The Commissioner of Municipal Administration,
Chepauk, Chennai.
2. The Commissioner,
Corporation of Coimbatore,
Coimbatore-2.
3. The Assistant Commissioner (West),
Zone-III, Corporation of Coimbatore,
Coimbatore-2.
4. The Commissioner of Police,
Coimbatore.
5. The Commissioner of Police (Traffic),
Coimbatore City Traffic (Wing),
Coimbatore.
6. N.Jegadeesan
7. The District Collector,
Coimbatore.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents 1 to 3 to remove all the encroachments made by the platform vendors and street vendors in the platforms and also in the open spaces in and around the Pannerselvam Flower Market and

to maintain the Pannerselvam Flower Market free from encroachment in the Pannerselvam Flower Market, Coimbatore Municipal Corporation and Consequently direct the 1st respondent to take appropriate penal action against the 3rd respondent for permitting illegal encroachments.

For Petitioner : M/s.P.Mary Jerlin
For Respondents : Mr.T.N.Rajagopalan
Special Government Pleader
For RR 1, 4, 5 & 7
: Mr.K.Magesh for RR 2 and 3

O R D E R

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

The moot point is whether the petitioner has made encroachment or the sixth respondent or for that matter both of them.

2.The third respondent is directed to carry out an inspection of site of both the petitioner and the sixth respondent within fifteen (15) days of the receipt of the order to verify the position at site and whoever is found to have encroached, action in accordance with law be taken and concluded within a period of two (2) months thereafter.

Writ petition is, accordingly, disposed of. No costs. Consequently, M.P.No.1 of 2015 is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

sra

To

1. The Commissioner of Municipal Administration,
Chepauk, Chennai.
2. The Commissioner,
Corporation of Coimbatore,
Coimbatore-2.

3. The Assistant Commissioner (West),
Zone-III, Corporation of Coimbatore,
Coimbatore-2.
4. The Commissioner of Police,
Coimbatore.
5. The Commissioner of Police (Traffic),
Coimbatore City Traffic (Wing),
Coimbatore.
6. The District Collector,
Coimbatore.

+1cc to Mr.K.Magesh, Advocate, S.R.No.3480
+1cc to the Government Pleader, S.R.No.3405

W.P.No.32396 of 2015

SSI(CO)
CA(03/02/2017)



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