

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2017

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P.No.18953/2017

S.Sumathi

... Petitioner

Vs

1 The District Collector,
Erode District,
Erode.

2 The Director of Town Panchayats
4th Floor, Kuralagam,
Chennai-108.

3 The Tahsildar,
Modakurichi Taluk,
Erode District.

4 The Executive Officer,
Modakurichi Town Panchayat,
Modakurichi Post,
Erode District.

5 Poongodi

... Respondents

(RR5 impleaded as per order dated 09.08.2017
by MSNJ & NSSJ in WMP.No.21528/17 in WP.NO.
18953/17)

Prayer:- Writ Petition filed under Article 226 of the
Constitution of India praying for a writ of mandamus directing
the 4th respondent to remove the encroachment as per the
proceedings of the 3rd respondent Pro.Lr.No.2695/2017/T1 dated
15.06.2017 and dispose the representation dtd 30.06.2017.

For Petitioner : Mr.S.Kolandasamy
For R1 to R3 : Mr.A.N.Thambidurai, SGP
For R4 : Mr.P.S.Jayakumar, AGP

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

It is represented that the encroachment put up on the public road to an extent of 6 feet in the form of ACC Sheet Shed put up by private respondent, has been removed and the 4th respondent vide communication in Na.Ka.No.369/2017 dated 08.11.2017 has informed the said fact to the respondents 1 to 3. The said communication is taken on file and recorded.

2 The learned counsel for the petitioner would submit that the electrical pole is also causing hindrance for free movement of the traffic and in this regard, a representation has been submitted to the 4th respondent for removal of the same.

3 The Court has heard Mr.A.N.Thambidurai, learned Special Government Pleader appearing for the respondents 1 to 3 and Mr.P.S.Sivakumar, learned counsel appearing for the 4th respondent and also perused the materials placed before this Court.

4 In view of the above facts and circumstances, the 4th respondent is directed to consider the said representation of the petitioner seeking removal of the electrical pole and give a disposal as expeditiously as possible in accordance with law. In the light of the above said communication of the 4th respondent dated 08.11.2017, nothing arise for adjudication in this writ petition. However, the 4th respondent shall see to that no fresh encroachment or re-encroachment takes place on the land in question.

5 The writ petition is closed subject to the above observation and direction. No costs.

-s/d-

Deputy Registrar

True Copy

Sub-Assistant Registrar

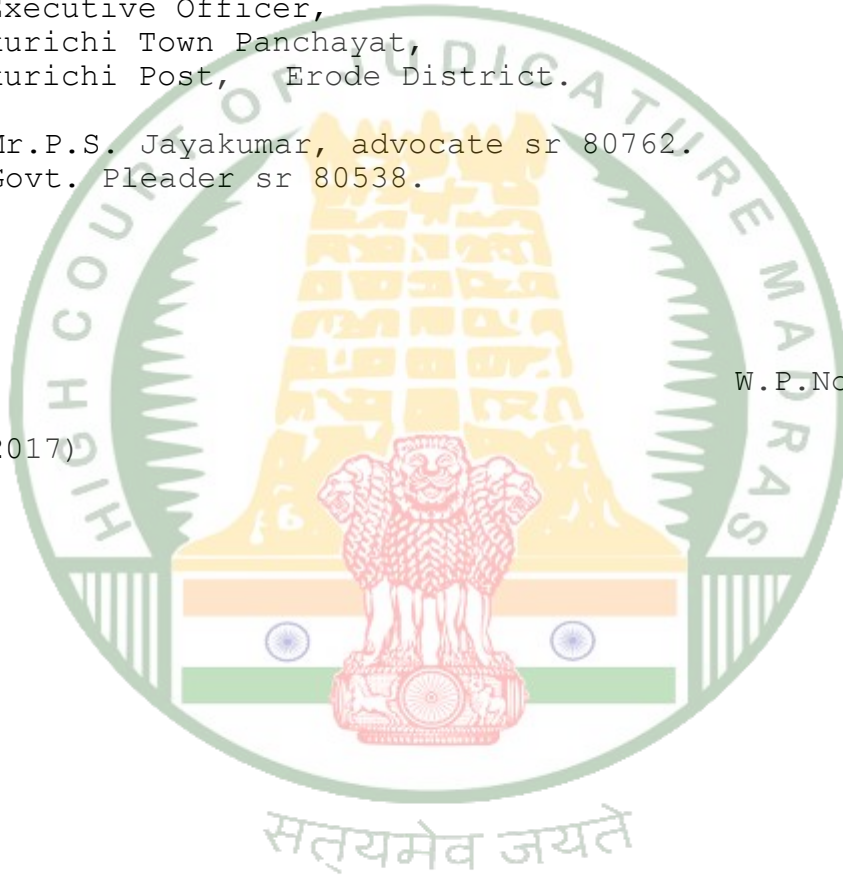
AP

To

- 1 The District Collector,
Erode District, Erode.
 - 2 The Director of Town Panchayats
4th Floor, Kuralagam, Chennai-108.
 - 3 The Tahsildar,
Modakurichi Taluk, Erode District.
 - 4 The Executive Officer,
Modakurichi Town Panchayat,
Modakurichi Post, Erode District.
- +1 CC to Mr.P.S. Jayakumar, advocate sr 80762.
+1 CC to Govt. Pleader sr 80538.

SP(06/12/2017)

W.P.No.18953/2017



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