

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2017

CORAM :

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

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.23722 of 2013

Sona Nagar Welfare Association,
Plot No.36, Opposite to St. John's School Gate,
Sona Nagar,
Salem-16

rep. by its Secretary M.Jayabalan.

.. Petitioner

-VS-

1.The District Collector,
Salem District,
Salem.

2.The Commissioner,
Salem Corporation,
Salem.

3.The Tahshildar,
Salem Taluk,
Salem.

4.The Inspector of Police,
Alagapuram Police Station,
Salem.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of directing respondents to remove the encroachments of Alagapuram Periyaputhur Odai runs through S.No.166/3 in Sona Nagar, Salem-16 and to provide basic amenities

like laying roads, drainage, street lights and drinking water in furtherance to implementation of orders passed by this Hon'ble Court in W.P.No.10867 of 2006 dated 19.04.2006 within a time frame to be fixed by this Court.

For Petitioner : Mr.R.N.Amarnath
For Respondents : Mr.R.Vijayakumar
Addl. G.P. for R1, R3 & R4
Mr.S.Diwakaran for R2

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ORDER

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

The grievance of the petitioner - Residents' Welfare Association is that the encroachments of Alagapuram Periyaputhur Odai runs through S.No.166/3 in Sona Nagar, Salem-16 are not being removed, affecting the civic services to be provided.

2. The learned counsel for the petitioner states that despite all endeavours for more than a decade, the only answer is they are surveying the area.

3. It is pointed out that the land is belonging to the Revenue department and not to the Salem Corporation.

4. We, thus, direct respondent No.3/Tahsildar, Salem Taluk to

carry out an inspection of the site with the assistance of the Surveyor within fifteen days of the receipt of the copy of this order and if any encroachment is found as alleged, action in accordance with law be taken and concluded within a maximum period of three months thereafter. In case of any requirement, the police assistance can be sought and respondent No.4 would be assisted in the same.

5. Once the encroachments are removed, the question of providing amenities to the petitioner would also be examined.

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

(S.K.K., CJ.) (M.S., J.)
06.02.2017

Index : Yes/No
Internet : Yes/No
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To

- 1.The District Collector,
Salem District, Salem.
- 2.The Commissioner,
Salem Corporation, Salem.
- 3.The Tahshildar,
Salem Taluk, Salem.
- 4.The Inspector of Police,
Alagapuram Police Station, Salem.

The Hon'ble Chief Justice
and

M.Sundar, J.

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