

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2017

CORAM :

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

W.P. No.42624 of 2016
and
W.M.P.Nos.36542 and 36543 of 2016

V.Baskaran

... Petitioner

-Vs-

1. The Deputy Director,
Town and Country Planning,
Villupuram District, Villupuram.

2. The Commissioner,
Kallakurichi Municipality,
Kallakurichi.

3. Ramanathan

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari to call for the records of the second respondent made in Na.Ka.No.A1/4370/2015 dated 26.11.2016 and to quash the same.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader
For RR 1 and 2

: Mr.N.Ramesh for R-3

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O R D E R

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

The petitioner and third respondent both encroached on road poramboke land. The third respondent had initiated the litigation by filing the earlier writ petition. His construction is stated to have been now removed. In case of petitioner, the encroachment has not been removed despite the notice having been sent in which the petitioner failed to participate. The encroachment is to the extent of 12.24 sq. meters and this is after measurement and demarcation at site.

2.In view of the aforesaid facts and circumstances, we see no reason to accept the request of the learned counsel for the petitioner to once again carry out demarcation at site.

3.We find no infirmity in the impugned order.

Writ petition is, accordingly, dismissed. No costs. Consequently, W.M.P.Nos.36542 and 36543 of 2016 also stand dismissed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Deputy Director,
Town and Country Planning,
Villupuram District, Villupuram.
2. The Commissioner,
Kallakurichi Municipality,
Kallakurichi.

+1cc to Mr.N.Ramesh, Advocate, S.R.No.607
+1cc to Mr.B.Dhanraj, Advocate, S.R.No.956
+1cc to the Government Pleader, S.R.No.1182

W.P.No.42624 of 2016

NM(CO)
CA(11/01/2017)

सत्यमेव जयते

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