

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DHANDAPANI

W.P.No.16398 of 2004
and'

W.P.M.P.No.19378 of 2004

V.Alargarsamy ... Petitioner

Vs.

1. The Commissioner,
Aruppukkottai Municipality
Aruppukkottai
Virudhunagar District.
2. Alagirisami Naidu
(2nd respondent was impleaded
as per order dated 06.01.2005
in W.M.P.No.43741 of 2004) ... Respondents

Writ Petition is filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records on the file of the respondent in Na.Ka No.5020/99/F1 dated 25.5.2004, quash the same and forbear the respondent from any manner interfering with the peaceful possession and enjoyment of the petitioner of his House, land and the appurtenant structures situated at Ambalam Saminaicker Street, Ward B, Block 2, T.S.No.112/1 at Aruppukkottai.

For Petitioner : Mr.P.Srinivas
For 1st Respondent : Mr.Zakir Hussain
Special Government Pleader

ORDER

Without going into the merits of the case, as the Municipal Authorities issued an encroachment notice under Section 182 & 313 of the District Municipalities to resolve the entire issue, this Court is hereby directed the Municipality Town Surveyor to measure the property as directed by the Civil Court in the presence of Municipal officials and the petitioners and

find out the encroachment made by the petitioner, if any and pass appropriate orders as per the decree passed in O.S.No.209 of 1999 dated 26.11.2001 by the District Munsif, Aruppukkottai. This exercise to be carried out within a period of 6 weeks from the date of receipt of a copy of this order.

2. With the above direction, this Writ Petition is disposed of. No costs. Subsequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

The Commissioner,
Aruppukkottai Municipality
Aruppukkottai
Virudhunagar District.

+1 cc to Mr.P.P.Shanmugasundaram Advocate sr 52143

+1 cc to Mr.S.Kadarkarai Advocate sr 52105

+1 cc to Mr.P.Srinivas Advocate sr52332

W.P.No.16398 of 2004
and

W.P.M.P.No.19378 of 2004

svi(co)
aa21/08/2017

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