



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 01.09.2017

CORAM :

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.21356 of 2015
and
W.M.P. (MD) No.1 of 2015

J.Gopal

... Petitioner

Vs.

1.The District Collector,
Theni District,
Theni.

2.The Block Development Officer,
Mayiladumparai Block Development Office,
Mayiladumparai, Aundipatti Taluk,
Theni District.

3.The President,
Mayiladumparai Panchayat,
Mahyiladumparai,
Aundipatti Taluk,
Theni District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents that not to vacate the petitioner's Hair Cutting Saloon from the land situating in survey No.309, Mayiladumparai to Moolakadai Road, Mayiladumparai Village, Aundipatti Taluk, Theni District without following the due process of law and not to initiate any coercive action against the petitioner's occupation over his above mentioned shop, except due process of law.

For Petitioner : Mr.M.S.Jeya Karthik

For Respondents : Mr.M.Govindan,
Special Government Pleader
for RR1

Mr.K.Mahesh Raj for R3
No appearance for R2

O R D E R

(Order of the Court was made by G.R.SWAMINATHAN, J.)

The writ petitioner prays is that his Hair Cutting Saloon situate in S.No. survey No.309, Mayiladumparai to Moolakadai Road, Mayiladumparai Village, Aundipatti Taluk, Theni District should not be removed without following due process of law.

2.The authorities are obviously expected to follow the statutory procedure in the matter of removal of encroachments. Therefore, no exception can be taken to the writ petitioner's request.

3.The writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar.

To

1.The District Collector,
Theni District, Theni.

2.The Block Development Officer,
Mayiladumparai Block Development Office,
Mayiladumparai, Aundipatti Taluk,
Theni District.

+1CC to the Special Government Pleader SR.No.76227

W.P(MD)No.21356 of 2015
and
W.M.P.(MD) No.1 of 2015
01.09.2017

Arul/Skm
AM/MR KKR/SAR 1/26.09.2017/2P/4C