





2. The writ petitioner, who is running a Butchery (Meat) Stall on the road margin, is before this Court claiming that he should not be evicted without following due process of law.

3. At the time when the writ petition was entertained, an interim order was granted. On the strength of the said interim order, the petitioner is now continuing the Butchery Stall in the road margin.

4. The third respondent filed counter affidavit stating that the petitioner encroached the road and therefore, eviction proceedings have been initiated.

5. The petitioner claims that without notice to him, he cannot be evicted. This contention is not tenable for the simple reason that he is an encroacher and no licence has been granted to him. Therefore, no relief can be granted in this writ petition.

6. Accordingly, while dismissing the writ petition, the respondents are directed to give fifteen days time, from the date of receipt of a copy of this order, to the petitioner to vacate the shop, failing which they are entitled to take action to dispossess the petitioner, if necessary with police aid. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CSII)

/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.
- 3.The President,  
Mayiladumparai Panchayat,  
Mayiladumparai, Aundipatti Taluk,  
Theni District.

+1 CC TO MR.M.S.JEYAKARTHIK,ADVOCATE,SR NO.51419

+1 CC TO SPECIAL GOVERNMENT PLEADER SR NO.51780

krk/skm

MAS/SV-MMS:21.04.2017:2P-6C

W.P. (MD) No.21482 of 2015  
and

M.P. (MD) No.1 of 2015  
11.04.2017