



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.06.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **T.S.SIVAGNANAM**

AND

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

W.P.[MD].No.12114 of 2017

Sathya

: Petitioner

Vs.

1.The Commissioner,
Madurai Corporation,
Madurai 20.

2.Jeevanatham

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to take appropriate steps to remove the wall constructed illegally and the illegal encroachments made by the second respondent on the common way [Lane] comprised in Survey No.210/7 of Thirupparankundram Village, Madurai District, measuring 88 feet on east-west and 5 feet width north-south, on the basis of the petitioner's representation dated 03.04.2017, within a time frame.

For Petitioner

: Mr.R.Aravindan

For Respondent

:Mr.T.S.Mohamed Mohideen

O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

The petitioner is before this Court seeking a direction to the first respondent to take action to remove the encroachments made by the second respondent into a common lane, based on his representation dated 03.04.2017. A photograph of the alleged encroachment has been produced in page No.19 of the typed set of papers, from which we find that it is a dispute between the petitioner and the second respondent, who appears to be the adjacent owner of the property and the lane appears to be a private passage. Thus, we are not inclined to grant the relief sought for by the petitioner. Hence, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(P&A)



To

The Commissioner,
Madurai Corporation,
Madurai 20.

+1cc to M/S.T.S.MOHAMED MOHIDEEN, Advocate SR.No.62998

+1cc to M/S.R.ARAVINDAN, Advocate SR.No.63001

NB

MAS/MR-KKR/SAR1:07.07.2017:2P-4C

ORDER MADE IN
W.P. [MD].No.12114 of 2017
30.06.2017