



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.17458 of 2017

Mangala S.Jawaharlal

... Petitioner

Vs.

1. The State of Tamilnadu,
Rep by its Principal Secretary,
Municipal and Administration Department,
Fort St.George,
Chennai- 600 009.

2. The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli,
Tirunelveli District.

3. S.Poornima
4. Balaganesan
5. Gunasekaran

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to remove the encroachment made by the 3rd to 5th respondents on the public street in T.S.No.177, Kamaraj Nagar, Tirunelveli-Tuticorin Highway, Palayamkottai, Tirunelveli District based on the petitioner's representations dated 01.11.2016, 17.05.2017, 18.05.2017 and 12.07.2017.

For Petitioner	: Mr.T.Srinivasaraghavan for Mr.H.Velavadhas
For 1 st Respondent	: Mr.M.Govindan Special Government Pleader
For 2 nd Respondent	: Mr.Aayiram K.Selva Kumar
For 3 rd Respondent	: Mr.Sivabalan
For 5 th Respondent	: Mr.J.Ashok
For 4 th Respondent	: Mr.K.Prabhu

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

The petitioner herein seeks a direction for removal of encroachments made by the private respondents herein on the public street in T.S.No.177, Kamaraj Nagar, Tirunelveli-Tuticorin Highway, Palayamkottai, Tirunelveli District



2.The petitioner had given several representations in this regard. When the matter was taken up for hearing, it was submitted by the standing counsel for the second respondent that action had already been initiated in this regard.

3.We direct the second respondent to take follow up action in the matter. The second respondent shall follow the statutory procedure. If the second respondent is of the view that there is any encroachment, the same shall be removed after issuing notice to the private respondent herein. The entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

4.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary,
Municipal and Administration Department,
Fort St.George,
Chennai- 600 009

2. The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli,
Tirunelveli District.

+1cc to Mr.H.Velavadas, Advocate SR.No.80410
+1cc to Mr.Aayiram K.Selva Kumar, Advocate SR.No.80467
+1cc to Mr.J.Ashok, Advocate Sr.No.80540
+1cc to Mr.K.Prabhu, Advocate Sr.No.80484
+1cc to The Spl.Government Pleader Sr.No.80963

RMI

AE/KK/SAR2/09/11/2017/2P/8C

ORDER MADE IN
W.P. (MD) No.17458 of 2017
21.09.2017