



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.2468 of 2017

Flora Stella .. Petitioner
Vs.

1.The District Collector,
District Collector Office,
Trichy District.

2.The Commissioner,
Trichirapalli Corporation,
Trichy District.

3.The Tahsildar,
North Tahsildar Office,
Town Hall, Trichy District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 12.11.2016 and remove the encroachment made in and around Ward 1, T.S.No.37/1 and 37/2 in Block 46, in the survey No.37/2 and Uyankondan river bed.

For Petitioner : Mr.C.Deepak

For Respondents 1 and 3 : Mr.D.Muruganandam,
Additional Government Pleader.

For Respondent No.2 : Mr.N.S.Karthikeyan,
Additional Government Pleader.

ORDER

[Order of the Court was made by A.SELVAM, J.]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents to remove encroachments which are in existence on river bed of Uyankondan river, Tiruchirappalli, by way of issuing a writ of mandamus.

2.Mr.D.Muruganandam, learned Additional Government Pleader, has taken notice for the respondents 1 and 3 and Mr.N.S.Karthikeyan, learned Additional Government Pleader, has taken notice for the second respondent.



3.The main contention putforth on the side of the petitioner is that there are so many encroachments on river bed of Uyankondan river in Tiruchirappalli Town. Under the said circumstances, a representation has been given on 12.11.2016, but no action has been taken and therefore the present writ petition has been filed.

4.Considering the contention putforth on the side of the petitioner to the effect that so many encroachments are in existence on river bed of Uyankondan river, this Court is inclined to pass the following order.

5.In fine, this writ petition is allowed without costs and the second respondent viz., Commissioner, Tiruchirappalli Corporation is strictly directed to remove all encroachments which are in existence on river bed of Uyankondan river under due process of law within a period of two months.

Sd/
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar.

To

1.The District Collector,
District Collector Office,
Trichy District.

2.The Commissioner,
Trichirapalli Corporation,
Trichy District.

3.The Tahsildar,
North Tahsildar Office,
Town Hall, Trichy District.

+1CC to M/S.C.Deepak, Advocate, SR.No. 8688

+1CC to M/S.N.S.Karthikeyan, Advocate, SR.No. 8142

ORDER MADE IN
W.P (MD) No.2468 of 2017
14.02.2017

smn

AM/PM PN/SAR-1/17.02.2017/2P/6C