



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 21.03.2017**

CORAM:

**THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN**

W.P(MD)No.2709 of 2017

K.Rajan

.. Petitioner

Vs.

- 1.The District Collector,
Collectorate Office,
Madurai District,
Madurai.
- 2.The Commissioner,
Madurai Corporation,
Arignar Anna Maligai,
Madurai - 2.
- 3.The Thasildar,
Tirunpparankundram Taluk,
Thirunagar,
Madurai - 6.
- 4.The Assistant Engineer,
Tamil Nadu Electricity Board,
Tirupparankundram,
Madurai - 5.

.. 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 to 4 to remove the construction in Survey No.183 which is Giriveethi, Tirupparankundram Taluk, Madurai District.

For Petitioner : Mr.S.Natesh Raaja

For RR 1, 3 & 4 : Mr.M.Govindan,
Special Government Pleader.

For R - 2 : Mr.N.Shanmuga Selvan

**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 in Survey No.183, Giriveethi, Tirupparankundram Taluk, Madurai District, by way of issuing a Writ of Mandamus.

2.The learned counsel appearing for the petitioner has contended that Survey No.183 has been classified as a road and the same vest with the Madurai Corporation. Further in Survey No.183 on both sides so many encroachments are in existence. Under the said circumstances, the present Writ Petition has been filed for getting the relief sought therein.

3.The learned counsel appearing for the second respondent has contended that Survey No.183 has been classified as a road.

4.Considering the fact that Survey No.183 has been classified as a road and the same vest with the Madurai Corporation and also considering the contention putforth on the side of the petitioner, this Court is inclined to pass the following order.

5.In fine, this Writ Petition is allowed without costs and the second respondent viz., the Commissioner, Madurai Corporation is directed to conduct survey in respect of Survey No.183, Giriveethi, Tirupparankundram Taluk, Madurai District, with the assistance of revenue records and if there is any encroachment in Survey No.183, directed to remove the same under process of law within a period of two months.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Collectorate Office,
Madurai District,
Madurai.

2.The Commissioner,
Madurai Corporation,
As. Comm. Office, Maligai,
Madurai - 2.



3.The Thasildar,
Tirunpparankundram Taluk,
Thirunagar,
Madurai - 6.

4.The Assistant Engineer,
Tamil Nadu Electricity Board,
Tirupparankundram,
Madurai - 5.

+1cc to Mr.S.Natesh Raaja,Advocate, SR.No:16532
+1cc to Mr.N.Shanmuga Selvam, Advocate, SR.No:16224
+1cc to Special Government Pleader, SR.No:17033

ps

AE/SKN/RSK/SAR3/24.03.2017/3P/8C

ORDER MADE IN
W.P (MD) No.2709 of 2017
21.03.2017