



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.03.2017

CORAM:

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

W.P (MD) No.3961 of 2017

Iruthayasamy

.. Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Commissioner,
Madurai Corporation,
Madurai District,

3.The Assistant Commissioner,
Madurai East Zone, Madurai.

4.Baluchamy

5.Sagayaraj

.. 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 second respondent to give opportunity to explain about non-existence of common path way for Re-Survey No.66/10 by using path way available in Re-Survey No.66/9 by considering the petitioner's representation dated 03.03.2017.

For Petitioner : Mr.R.Manoharan

For Respondents : Mr.T.S.Mohammed Mohideen,
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 second respondent to give sufficient opportunity to the petitioner with regard to the representation made in Re-Survey No.66/9, by way of issuing a writ of mandamus.



2.Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader, has taken notice for the respondents 1 to 3.

3.It is seen from the records that the third respondent has issued a notice to the petitioner, wherein it is stated that in Re-Survey No.66/9, certain encroachments are in existence. Under the said circumstances, the petitioner has been directed to remove the same.

4.The main grievance expressed on the side of the petitioner is that no opportunity has been given to the petitioner with regard to alleged encroachment made in Re-Survey No.66/9. Under the said circumstances, this Court is inclined to pass the following order.

5.In fine, the third respondent is directed to look into the representation dated 03.03.2017 alleged to have been given by the petitioner and dispose of the same within a period of one week. With the above observation, this writ petition is disposed of. No costs.

sd/-

Assistant Registrar(co)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai District, Madurai.

2.The Commissioner,
Madurai Corporation,
Madurai District.

3.The Assistant Commissioner,
Madurai East Zone, Madurai.

+1cc to Mr.T.S.Mohamed Mohideen, Advocate SR.No.13272

+1cc to special Government Pleader sR.No.13478

smn

sm:PM-PN:13.3.2017:2P/6C

ORDER MADE IN
W.P (MD) No.3961 of 2017
08.03.2017