



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P(MD)No.5032 of 2017

A.Moovendran

.. Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Thirumangalam Taluk,
Madurai District.

3.The Commissioner of Municipality,
Tirumangalam Municipality,
Tirumangalam.

.. 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 to remove the encroachments made in Valaiyalkara Street comprised in T.S.No.185 of Thirumangalam Municipality in considering the petitioner's representations, dated 10.06.2016 and 08.03.2017.

For Petitioner : Mr.K.Chengis Khan

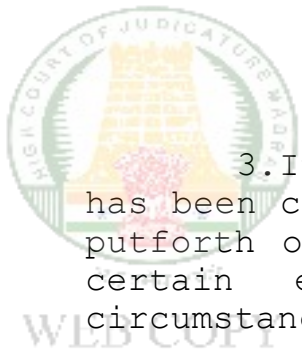
For RR 1 & 2 : Mr.K.Guru,
Special Government Pleader.

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 in Survey No.185, Thirumangalam Municipality, by way of issuing a Writ of Mandamus.

2.Mr.K.Guru, learned Additional Government Pleader, has taken notice for the respondents 1 and 2. The learned standing counsel appearing for the third respondent has not made his appearance.



3. It is seen from the revenue records that Survey No.185 has been classified as Valaiyalkara street and the main contention put forth on the side of the petitioner is that in Survey No.185, certain encroachments are in existence. Under the said circumstances, this Court is inclined to pass the following order.

4. In fine, this Writ Petition is allowed without costs and the third respondent is directed to conduct proper survey in respect of Survey No.185, Valaiyalkara Street, Thirumangalam Municipality with reference to revenue records and if there is any encroachment, directed to remove the same 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,
Madurai District,
Madurai.

2. The Tahsildar,
Thirumangalam Taluk,
Madurai District.

3. The Commissioner of Municipality,
Tirumangalam Municipality,
Tirumangalam.

+1cc to Mr.K.Chengizkhan, Advocate, SR.No:16910

+1cc to Special Government Pleader, SR.No:17606

ps

AE/SKN/SAR4/27.03.2017/2P/6C

**ORDER MADE IN
W.P (MD) No.5032 of 2017
23.03.2017**