



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 04.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and

THE HONOURABLE MR.JUSTICE N.AUTHINATHAN
W.P (MD) No.5665 of 2017

M.R.Nagarajan

.. Petitioner

Vs.

1.The Director of Town and Country Planning,
Chennai.

2.The Deputy Director Town and Country Planning,
Madurai Region,
Madurai.

3.The Executive Authority/Member Secretary,
Sivakasi Local Planning Authority,
Sivakasi.

4.The Commissioner,
Sivakasi Municipality,
Sivakasi.

5.G.Ashokan

.. 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 herein to take all steps to remove the encroachment of lands in Ward C, Block 13, Town Survey Nos.15 and 16, Sivakasi Town from the fifth respondent and maintain the same as public park.

For Petitioner

: M/s.N.Krishnaveni
Senior Counsel
for Mr.S.T.Sasitharan Tamilkani

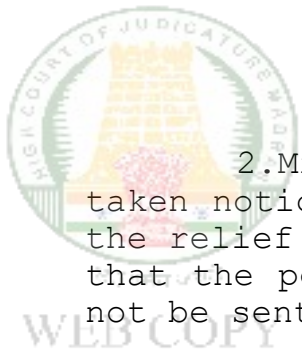
For RR 1 to 3

: Mr.M.Govindan,
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 1 to 4 to remove encroachments which are in existence in Survey Nos.15 and 16, Sivakasi town, by way of issuing a Writ of Mandamus.



2.Mr.M.Govindan, learned Special Government Pleader, has taken notice for the respondents 1 to 3. Considering the nature of the relief sought in the writ petition and also considering the fact that the petitioner has already given a representation, notice need not be sent to the respondents 4 and 5.

3.It is seen from the records that on 22.12.2016 a representation has been given by the petitioner and the same has not been considered.

4.The main contention putforth on the side of the petitioner is that the fifth respondent has made certain encroachments in Survey Nos.15 and 16, Sivakasi Town. Considering the aforesaid factual circumstances, this Court is inclined to pass the following order.

5.In fine, this writ petition is allowed in part without costs and the fourth respondent is directed to look into the representation dated 22.12.2016 and dispose of the same within a period of one month.

SD/-
ASSISTANT REGISTRAR

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

- 1.The Director of Town and Country Planning,
Chennai.
 - 2.The Deputy Director Town and Country Planning,
Madurai Region,
Madurai.
 - 3.The Executive Authority/Member Secretary,
Sivakasi Local Planning Authority,
Sivakasi.
 - 4.The Commissioner,
Sivakasi Municipality,
Sivakasi.
- +1 CC TO SPECIAL GOVERNMENT PLEADER SR NO.50390
+1 CC TO M/S.S.T.SASIDHARAN,ADVOCATE,SR NO.19132

ps
MAS/MR/SAR3:07.04.2017:2P-7C

ORDER MADE IN
W.P (MD) No.5665 of 2017
04.04.2017