



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.06.2017

CORAM:

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

W.P (MD) No.6840 of 2017
and
W.M.P (MD) No.5392 of 2017

T.Jeni .. Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Commissioner,
Tirunelveli City Municipal Corporation.

3.The Junior Engineer (Projects),
Palayamkottai Zone,
Tirunelveli City Municipal Corporation.

.. 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 first and second respondents to consider and dispose of the petitioner's representation dated 26.10.2016 sent for the purpose of removal of encroachment in Town Survey Ward BG Block 9, T.S.No.51 to the extent of 136 square meter at 23rd street, Shanthi Nagar, Palayamkottai, Tirunelveli as expeditiously as possible.

For Petitioner : Mr.R.Anand

For R - 1 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

For RR 2 & 3 : Mr.Aayiram K.Selvakumar

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 and 2 to consider the representation dated 26.10.2016 for the purpose of removing encroachments which are in existence in Town Survey Ward BG Block 9, T.S.No.51, by way of issuing a writ of mandamus.



2.It is seen from the records that on the basis of representation dated 26.10.2016, the petitioner has already filed Writ Petition(MD) No.1585 of 2017 on the file of this Court, wherein this Court has directed the respondents 1 and 2 to look into the representation dated 26.10.2016. Considering the aforesaid factual circumstances, for the same relief, this Writ Petition is not legally maintainable.

3.It has been contended on the side of the respondents that in pursuance of the direction given in the order passed in Writ Petition(MD)No.1585 of 2017, necessary action has been taken.

4.Since necessary action has been taken on the basis of the order passed in Writ Petition(MD)No.1585 of 2017, this Court is of the view that the present Writ Petition is totally unwarranted and the same is liable to be dismissed.

5.In fine, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar(Records)

\True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Commissioner,
Tirunelveli City Municipal Corporation.

3.The Junior Engineer (Projects),
Palayamkottai Zone,
Tirunelveli City Municipal Corporation.

+One cc to Mr.R.Anand, Advocate, SR.No.61587

+One cc to The Special Government Pleader, SR.No.61891

ps

RL/6C/2P/KP/SAR1/5/7/2017

ORDER MADE IN
W.P(MD)No.6840 of 2017
and

W.M.P(MD)No.5392 of 2017