



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2017

CORAM:

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

W.P (MD) No.8049 of 2017

M.Shajahan

.. Petitioner

Vs.

1. The Commissioner,
Madurai Corporation,
Madurai.

2. K.Gopalakrishnan

.. 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 respondent to remove the encroachment caused by the second respondent by erecting Metal Roofing Sheet upon the public road situated at Survey Ward XVI, Block No.35, TS.No.93, North Taluk, Madurai within a time frame fixed by this Court on the basis of the representation of the petitioner dated 13.04.2017.

For Petitioner	: Mr.B.Saravanan
For R - 1	: 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 first respondent to remove encroachments alleged to have been made by the second respondent across the public road, by way of issuing a Writ of Mandamus.

2.Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader, has taken notice for the first respondent. Considering the nature of the relief sought in the Writ Petition, notice need not be sent to the second respondent.



3. It is seen from the records that on 13.04.2017 a representation has been given to the first respondent, but the same has not been considered. Under the said circumstances, the first respondent can be directed as indicated below.

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4. In fine, this Writ Petition is allowed in part without costs and the first respondent is directed to look into the representation dated 13.04.2017 alleged to have been given by the petitioner and dispose of the same within a period of fifteen days.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

The Commissioner,
Madurai Corporation,
Madurai.

+ 1 CC TO Mr.B.SARAVANAN, ADVOCATE IN SR No. 54761

+ 1 CC TO Mr.T.S.MOHAMMED MOHIDEEN, ADVOCATE IN SR No. 54406

PS

TE/KP/SAR-IV : 03/05/2017 : 2P/4C

ORDER MADE IN
W.P(MD)No.8049 of 2017
27.04.2017