

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 06.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN**and****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P (MD) No.11600 of 2013****and****M.P. (MD) No.1 of 2013**

Meenambal

... Petitioner

Vs.

1. The District Collector,
Karur District, Karur.
2. The Thasildar,
Karur District, Karur.
3. The Commissioner,
Karur Municipality, Karur.
4. The Executive Officer,
Karur Municipality, Karur.
5. M.Manickam

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment put up by the fifth respondent herein in the pathway situated in S.F.174 - b1, b2, Ganapathi Nagar, Sunga gate, Thanthoni, Karur District to the width of 42"*3 ½ road and consequently direct the respondents 1 to 4 to lay thar road after removal of encroachment.

For petitioner : Mr.S.Gokul Raj.
For R1 and R2 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.
For R5 : No appearance.

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner submitted a representation dated 16.07.2013 to the respondents 1 to 4 requesting them to remove the encroachment made by the fifth respondent in respect of the land in S.F.174 - b1, b2, Ganapathi Nagar, Sunga gate, Thanthoni, Karur District to the width of 42"*3 ½ road.



2. The fourth respondent appears to have requested the second respondent to measure the property and mark the boundaries. Since follow up action was not taken, the petitioner has come up with this writ petition.

3. We have heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 and 2.

4. We direct the Executive Officer, Karur Municipality, Karur to address a communication to the Tahsildar, Karur District to measure the property in S.F.174 - b1, b2, Ganapathi Nagar, Sunga gate, Thanthoni, Karur District and communicate as to whether there is any act of encroachment at the instance of the fifth respondent. The Tahsildar in his report should indicate the property owned by the petitioner, the fifth respondent and the public property. The fourth respondent on receipt of the report from the Tahsildar, Karur, shall take appropriate action in accordance with law, after giving reasonable opportunity to all the parties.

5. The writ petition is disposed of with the above direction. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Karur District, Karur.
2. The Thasildar,
Karur District, Karur.
3. The Commissioner,
Karur Municipality, Karur.
4. The Executive Officer,
Karur Municipality, Karur.

+1cc to M/S. S.GOKULRAJ, Advocate, SR.No.64179.

+1cc to Special Government Pleader, SR.No.64020.

W.P. (MD) No.11600 of 2013

06.07.2017