



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2017

CORAM:

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN**  
**and**  
**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P. (MD) No.12632 of 2013

S.Muthaih

.. Petitioner

**Vs.**

1. The District Collector,  
Madurai,  
Madurai District.
2. The Thasildar,  
Madurai South,  
Madurai District Collector Complex,  
Madurai.
3. The Block Development Officer,  
Tirupuramkundram region,  
Tirupuramkundram,  
Madurai.
4. V.Kalitherthan

.. Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to remove the encroachment made by the fourth respondent in the lane at Mahatma Gandhi Street, Silaiman by considering the representation dated 09.07.2012 to the first respondent.

For petitioner : Mr. M.Jerin Mathew  
For respondents 1 to 3 : Mr. M.Govindan  
Special Government Pleader  
For respondent 4 : Mr.J.Karthikeyan for  
Mr.R.Gandhi

**O R D E R**

\*\*\*\*\*

**[Order of the Court was made by G.R.SWAMINATHAN, J.]**

<https://hcservices.ecourts.gov.in/hcservices/> The writ petitioner seeks removal of the encroachment caused by the fourth respondent herein in Mahatma Gandhi Street, Silaiman Bus Stand, Madurai. The writ petitioner had already submitted a



representation dated 09.07.2012 to the first respondent. Since no action was taken, the present writ petition came to be filed.

2. Since this writ petition has been filed in the year 2013, it is possible that the representation given by the petitioner may not be available with the authorities. Therefore, this Court directs the writ petitioner to submit a comprehensive representation to the second respondent herein. On receipt of such representation, the second respondent shall issue notice to the alleged encroacher and decide the issue, after following the statutory procedure. The entire exercise shall be completed within a period of two months from the date of receipt of the representation of the writ petitioner.

3. The Writ Petition is disposed of with the above direction. No costs.

Sd/-  
Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

**To:**

1. The District Collector,  
Madurai,  
Madurai District.
2. The Thasildhar,  
Madurai South,  
Madurai District Collector Complex,  
Madurai.
3. The Block Development Officer,  
Tirupuramkundram region,  
Tirupuramkundram,  
Madurai.

+ 1 CC TO Mr.M.JERIN MATHEW, ADVOCATE IN SR No. 70893  
+ 1 CC TO M/s.R.GANDHI, ADVOCATE IN SR No. 70806

KM

TE/SKN-RSK/SAR-II : 28/08/2017 : 2P/6C

ORDER MADE IN  
W.P. (MD) No.12632 of 2013  
04.08.2017