

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.7375 of 2018

K.Ramasamy ... Petitioner

-vs-

- 1.The Director of Town Panchayat,
Kuralagam, Chennai-600 108.
 - 2.The Assistant Director,
Office of the Regional Town Panchayat,
Coimbatore-18.
 - 3.The Executive Officer,
Irugur Town Panchayat (Selection Grade),
Irugur-103, Coimbatore District.
 - 4.N.Manimegali
 - 5.The Executive Engineer
Operation and Maintenance,
TANGEDCO (TNEB), Ondipudur,
Coimbatore District.
- (R-5 suo motu impleaded as per order
dated 28.03.2018 in W.P.No.7375/2018). Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation /complaint dated 10.11.2017 and to take appropriate legal action against the unauthorised construction and encroachment carried out by the fourth respondent at No.6, Rama Devar Street, Kamatchipuram, Ondiputur Post, Sulur Taluk, Coimbatore District.

For Petitioner :: Mr.Mutharasu for
Ms.R.Indhumathi

For Respondents:: Mr.P.S.Sivashanmugasundaram,
Spl.GP for R1 and R2

Mr.A.N.Thambidurai, Spl.GP for R3

Mr.K.S.Karthik Raza for R4

ORDER

(Made by HULUVADI G.RAMESH, J.)

This writ petition is filed to direct the respondents 1 to 3 to consider the petitioner's representation /complaint dated 10.11.2017 and to take appropriate legal action against the unauthorised construction and encroachment carried out by the fourth respondent at No.6, Rama Devar Street, Kamatchipuram, Ondiputur Post, Sulur Taluk, Coimbatore District.

2.The issue involved in this writ petition is a civil dispute and hence it can be thrashed out only before the Civil Court. Whether there is any actual encroachment in the property in question or not, is the matter to be decided by the Civil Court. In such view of the matter, the writ petition is dismissed giving liberty to the petitioner to approach the competent Civil Court for appropriate remedy. No costs.

3.At this juncture, it has been submitted that the property in question is under lock and seal and further the electricity connection has also been disconnected. In this connection, the respondents / authorities are directed to restore the electricity connection and remove the lock and seal of the premises, till a decision is taken by the Civil Court on the issue.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

KM
To

1.The Director of Town Panchayat,
Kuralagam, Chennai-600 108.

2.The Assistant Director,
Office of the Regional Town Panchayat,
Coimbatore-18.

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3.The Executive Officer,
Irugur Town Panchayat (Selection Grade),
Irugur-103, Coimbatore District.

4.The Executive Engineer
Operation and Maintenance,
TANGEDCO (TNEB), Ondipudur,
Coimbatore District.

+1cc to Mr.K.S.KARTHIK RAJA, Advocate, S.R.No.56799

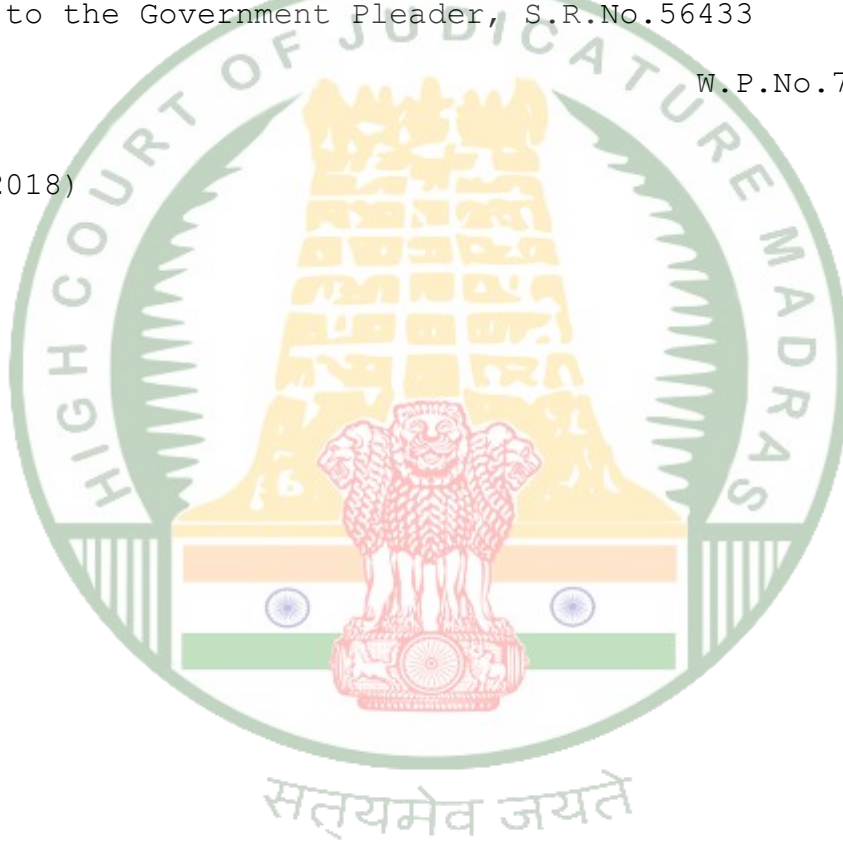
+1cc to Mr.R.INDHUMATHI, Advocate, S.R.No.56218

+1cc to Mr.S.K.RAAMESHUWAR, Advocate, S.R.No. 56519

+1cc to the Government Pleader, S.R.No.56433

W.P.No.7375 of 2018

MR(CO)
TR(20/08/2018)



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