IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.No.26332 of 2018 and
WMP No.30596 of 2018

A.Chandrasekaran ...Petitioner

-vs-

1.The District Collector,
Salem District, Salem.

2.The Tahsildar,
Omalur Taluk, Omalur, Salem District.

3.The Executive Engineer,
Tharamangalam Town Panchayat,
Tharamangalam, Salem District.

4.M.Ganesan .... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 herein to take steps for the removal of encroachment on the Panchayat Road called as " Puthu Mariamman Koil Street" situated at Ward No.10 comprised in Old Survey No.171/2, New Survey No.333/22, Tharamangalam Village, Omalur Taluk, Salem District.

For Petitioner : Mr.K.Premkumar
For Respondents: Mr.J.Pothiraj,
Spl.Govt.Pleader for R1 to R3
Mr.A.M.Esakiappan for R4

O R D E R

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

Heard the learned counsel for the petitioner. We have also the learned Special Government Pleader on behalf of respondents 1 to 3 and the learned counsel for the 4th respondent.

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2. The petitioner filed this writ petition with a grievance that the 4th respondent by encroaching upon the public road constructed a building and more particularly at New Survey No.333/22, Tharamangalam Village, Omalur Taluk, Salem District.

3. The learned Special Government Pleader on instructions submitted that the 4th respondent constructed the first floor of the building encroaching upon the public road. According to the learned Special Government Pleader action would be taken for removal of encroachment.

4. We direct the second respondent to take follow up action pursuant to the representation submitted by the petitioner dated 21.07.2018 after issuing notice to the 4th respondent. In case, it is found that the building was constructed by encroaching upon public land, necessary action for removal of such encroachment shall also be taken. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

svki

To

1.The District Collector,
Salem District, Salem.

2.The Tahsildar,
Omalur Taluk, Omalur, Salem District.

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3.The Executive Engineer,
  Tharamangalam Town Panchayat,
  Tharamangalam, Salem District.

+1cc to Mr.K.Premkumar, Advocate SR.NO. 76060
+1cc to Mr.A.M.Esakiappan, Advocate SR.NO.75514
+1cc to Government Pleader SR.NO. 76518

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