

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2019

CORAM :

The Hon'ble Mrs.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.6058 of 2019

R.Shanthi ... Petitioner

-vs-

1.The District Collector,
The Nilgiris District,
Udhagamandalam.

2.The Commissioner,
Udhagamandalam Municipality,
Udhagamandalam.

3.Tasthagir @ Babu

4.Kaja Hussain

5.Amamadullah

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents 1 and 2 to consider the petitioner's husband R.Murugan's representations dated 05.02.2018 and 24.09.2018 and consequently direct the respondents 1 and 2 to remove the encroachment made by the respondents 3 to 5 in Survey No.E/12/6, nearby Municipal Residential Quarters, Udhagamandalam, The Nilgiris District, within the time to be stipulated by this Court.

For Petitioner : Mr.M.Vijayaragavan

For Respondents : Mr.S.N.Parthasarathy
Govt. Advocate for R-1
: Mr.P.Srinivas
Stdg. Counsel for R-2
: No appearance for RR 3 to 5

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

Heard the learned counsel for the petitioner and Mr.S.N.Parthasarathy, learned Government Advocate, who takes notice on behalf of respondent no.1 and Mr.P.Srinivas, learned Standing Counsel, who takes notice for respondent no.2.

2.The case of the petitioner is that respondent nos.3 to 5 have encroached the land in Survey No. E/12/6, near Municipal Residential Quarters, Udhagamandalam, The Nilgiris District and hence, he prayed that the said encroachment be removed.

3.The learned counsel for respondent no.2, the Commissioner, Udhagamandalam Municipality, states that there is indeed an encroachment in the said piece of land and they will take expeditious steps in relation to removal of the said encroachment.

In view of the statement made by the learned counsel for respondent no.2, no further orders are necessary at this stage. The writ petition is, accordingly, disposed of. No costs.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

sra

To

1.The District Collector,
The Nilgiris District,
Udhagamandalam.

2.The Commissioner,
Udhagamandalam Municipality,
Udhagamandalam.

+1 CC to Mr.M.Vijayaragavan, Advocate sr 61059.

+1 CC to Mr.P.Srinivas, Advocate sr 61532.

+1 Cc to Govt. Pleader sr 61869

W.P.No.6058 of 2019

PM(CO)

SP(16/08/2019)