

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2019

CORAM

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.22613 of 2018
in
W.M.P No.26464 of 2018

J.John Bosco

.. Petitioner

Vs.

1 The District Collector
Thiruvannamalai District
Thiruvannamalai.

2 The Commissioner
Thiruvannamalai Municipality
Thiruvannamalai.

3 Y.Johnson
4 A.Arulanantham
5 Alphonse

6 Harikumar
Settlement Tahsildar
Thiruvannamalai Town
Taluk Office Campus
Anna Salai, Thiruvannamalai.

7 Neducheyian
Town Surveyor
Thiruvannamalai Town
Taluk Office Campus
Anna Salai, Thiruvannamalai.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing respondents 1 and 2 to remove the encroachment on the Municipal Park measuring 6114 Sq.ft. of land situated in Town Survey No. 2418/3A2, Block No. 37, Ward No.17, Sagaya Nagar, Thiruvannamalai Town by respondents 3 to 5 in accordance with The Tamil Nadu Public Premises (Eviction of

Unauthorised) Occupants Act 1975 and consequently direct respondents 1 and 2 to develop the said park.

For Petitioner : Mr.P.Shivakumar
for M/s.K.M.Vijayan
Associates

For Respondents : Mr.S.Kamalesh Kannan
Government Advocate
for respondents 1, 6 and 7

Mr.B.Anand
for 2nd respondent

No appearance
for respondents 3, 4 and 5

ORDER

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

Heard Mr.P.Shivakumar, learned counsel for the petitioner; Mr.S.Kamalesh Kannan, learned Government Advocate for respondents 1, 6 and 7 and Mr.B.Anand, learned counsel for the second respondent.

2. The petitioner is seeking directions to respondents 1 and 2 to remove the encroachment on the Municipal Park measuring 6114 Sq.ft. of land situated in Town Survey No. 2418/3A2, Block No. 37, Ward No.17, Sagaya Nagar, Thiruvannamalai Town. According to the petitioner, the said encroachment has been made by respondents 3 to 5.

3. The learned counsel for the second respondent, i.e., the Commissioner, Thiruvannamalai Municipality, has tendered the affidavit, wherein it is stated that they have removed the encroachment put up by respondents 3 to 5.

In view of the above, nothing further survives in this writ petition. The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.No.26464 of 2018 is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To:

- 1 The District Collector
Thiruvannamalai District
Thiruvannamalai.
- 2 The Commissioner
Thiruvannamalai Municipality
Thiruvannamalai.

+lcc to Mr.M.Radhakrishnan, Advocate Sr.16153
+lcc to Mr.K.M.Vijayan Associates, Advocate Sr.16203
+lcc to the Government Pleader Sr.15760

W.P.No.22613 of 2018

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srg 11/03/2019



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