

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.9.2019

CORAM

THE HONOURABLE DR.JUSTICE VINEET KOTHARI
AND
THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.27319 of 2019

K.Gobinath

Petitioner

Versus

1. The Commissioner of Municipal
Administration, Chepauk,
Chennai 600 005.
2. The District Collector,
Coimbatore District,
Coimbatore.
3. The Superintendent of Police,
Coimbatore Rural,
Coimbatore.
4. The Commissioner,
Mettupalayam Municipality,
Mettupalayam.
5. The Tahsildar,
Mettupalayam Taluk,
Mettupalayam.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the Respondents to remove the encroachment made in the Municipal Public Road viz., Ramappa Gowder Itteri Veedhi, Mettupalayam Municipality, Coimbatore District, by considering the representation submitted by the Petitioner dated 8.2.2019 and consequently ensure that the Ramappa Gowder Itteri Veedhi is free from encroachments and to ensure free flow of traffic.

For petitioner : Mr.G.Sankaran

For R1 to R3 & R5 : Mr.Kamalesh Kannan, Govt. Advocate
For R4 : Mr.M.Venugopal

ORDER

(Order of the court was made by C.SARAVANAN, J.)

The Petitioner filed the present PIL Writ petition for a

mandamus directing the Respondents to remove the encroachment made in the Municipal Public Road viz., Ramappa Gowder Itteri Veedhi, Mettupalayam Municipality, Coimbatore District, by considering the representation submitted by the Petitioner dated 8.2.2019 and consequently ensure that the Ramappa Gowder Itteri Veedhi is free from encroachments and to ensure free flow of traffic.

2. Heard Mr.G.Sankaran, learned counsel for the Petitioner, Mr.Kamalesh Kannan, learned Government Advocate for Respondents 1 to 3 and 5 and Mr.M.Venugopal, learned counsel for Respondent No.4.

3. It is brought to our notice that in respect of the said issues, in pursuance of the orders passed by this court dated 11.8.2014 in W.P.No.26722 of 2013 and 8.10.2014 in W.P.No.26722 of 2013, the Government of Tamil Nadu has issued G.O.(Ms.) No.540 Revenue (LD6(2)) Department dated 4.12.2014 providing remedy before the appropriate Authority.

4. We therefore, direct the Petitioner to avail his remedy under the said G.O. We also expect the Authority concerned to act in accordance with law in an expeditious manner. The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssk.

To:

1. The Commissioner of Municipal Administration, Chepauk, Chennai 600 005.
2. The District Collector, Coimbatore District, Coimbatore.
3. The Superintendent of Police, Coimbatore Rural, Coimbatore.
4. The Commissioner, Mettupalayam Municipality, Mettupalayam.

5. The Tahsildar,
Mettupalayam Taluk,
Mettupalayam.

+1cc to Mr.G.Sankaran, Advocate, S.R.No. 80003

+1cc to Mr.M.Venugopal, Advocate, S.R.No. 79658

+1cc to the Government Pleader, S.R.No. 80170

W.P.No.27319 of 2019

VBA (CO)
GN (30/09/2019)



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