

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Special Original Jurisdiction )

Friday, the Twenty Sixth day of April Two Thousand Nineteen

PRESENT

**The Hon`ble Mr Justice K.KALYANASUNDARAM**  
**and**  
**The Hon`ble Mrs.Justice R.THARANI**

WP (MD) No.10085 of 2019

and

WMP (MD) No.7852 of 2019

P.MESHAK

... PETITIONER

Vs

1.THE CHAIRMAN,  
TAMILNADU HOUSING BOARD,  
NO.493, ANNA SALAI, NANDANAM,  
CHENNAI-600 035.

2.THE DISTRICT COLLECTOR,  
MADURAI DISTRICT, MADURAI.

3.THE COMMISSIONER OF CORPORATION,  
MELLUR, TALLAKULAM,  
MADURAI CORPORATION, MADURAI.

4.EXECUTIVE ENGINEER & ADMINISTRATIVE OFFICER,  
TAMILNADU HOUSING BOARD, 72 FEET ROAD,  
ELLIS NAGAR, MADURAI

5.T.UMA KOSH

... RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Mandamus direction the 2 to 4 respondents, to remove the encroachment at public path way made by the 5th respondent at the 136 1/2 square feet at Narmatha Nagar, Ellis Nagar, Madurai, based on the petitioner's representation dated 23/04/2019.

**Prayer in WMP(MD) . 7852/ 2019 :**

To stay the construction work at public path way by the 5th respondent at the 136 1/2 square feet at Narmatha Nagar, Ellis Nagar, Madurai until the disposal of the main Writ Petition.

**ORDER :** This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mrs.K.M.PRISCILLA JANCY, Advocate for the petitioner and of Mr.AAYIRAM K.SELVAKUMAR, Additional Government Pleader for R1,R2 and R4, and of Mr.J.GUNASEELAN MUTHIAH, Advocate for R4, the court made the following order:-

Heard Mrs.K.M.Priscilla Jancy, learned counsel for the petitioner, Mr.Aayiram K.Selvakumar, learned Additional Government Pleader appearing for the respondents 1, 2 and 4 and Mr.J.Gunaseelan Muthiah, learned Standing counsel appearing for the third respondent.

2. Mr.J.Gunaseelan Muthiah, learned Standing counsel appearing for the third respondent would state that since the fifth respondent is putting up construction without any permission, a stop order was already issued.

3. According to the learned counsel for the petitioner, the fifth respondent has demolished a portion of the Housing Board flat without approval from the competent authority and despite the stop work order issued by the Corporation the private respondent is putting up construction by employing more persons.

4. In the light of the above submissions, the fifth respondent is directed to maintain status quo as on date. The learned counsel for the petitioner is permitted to take private notice to the fifth respondent returnable by then.

5. Post the matter on 30.04.2019.

sd/-

26/04/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

1.THE CHAIRMAN,  
TAMILNADU HOUSING BOARD,  
NO.493, ANNA SALAI, NANDANAM,  
CHENNAI-600 035.

2.THE DISTRICT COLLECTOR,  
<https://hcservices.ecourts.gov.in/hcservices/>  
MADURAI DISTRICT, MADURAI.

3.THE COMMISSIONER OF CORPORATION,  
MELLUR, TALLAKULAM,  
MADURAI CORPORATION, MADURAI.

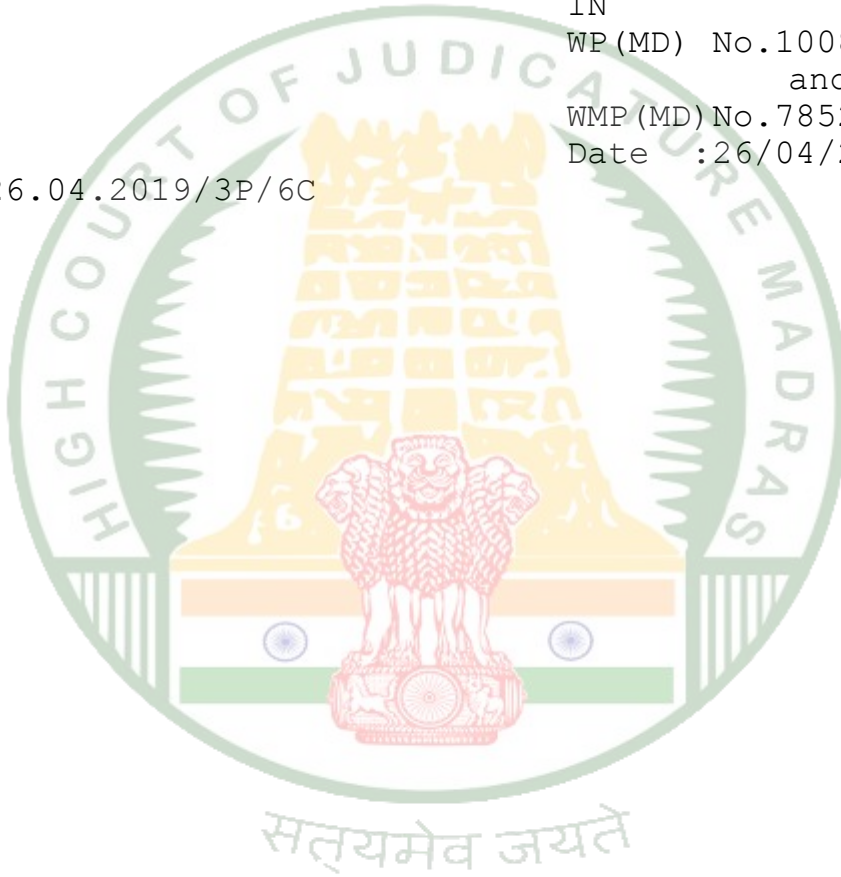
4.EXECUTIVE ENGINEER & ADMINISTRATIVE OFFICER,  
TAMILNADU HOUSING BOARD, 72 FEET ROAD,  
ELLIS NAGAR, MADURAI

+1. C.C. to Mr.G.PRADEEP DHINAKARAN Advocate SR.No.7381

ORDER  
IN

WP(MD) No.10085 of 2019  
and  
WMP(MD)No.7852 of 2019  
Date :26/04/2019

TK/PN/SAR-3/26.04.2019/3P/6C



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