



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 23.10.2019
CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P. (MD) No.22487 of 2019
and W.M.P. (MD) No.19272 of 2019

V.Chandrasekaran

... Petitioner

-vs-

1.The Collector,
Madurai District,
Collector Office,
Madurai - 625 020.

2.The Commissioner,
Madurai Corporation,
Anna Maligai,
Madurai - 625 002.

3.The Town Planning Officer,
Madurai Corporation,
Anna Maligai,
Madurai - 625 002.

4.The Assistant Commissioner,
Madurai Corporation,
Madurai West Region,
T.B. Road,
Madurai - 625 001.

5.K.Shanthi

6.Shifa

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representation dated 21/09/2019 and to remove the encroachments made by the 5th respondents in the 23 feet width 2nd Respondent Corporation road in an extent of 1188 sq. ft. public road lying adjacent to the Plot Nos.17, 18 and 1 situated at Meenakshi Gardens Layout, Nataraj Nagar Extension, Opposite to Fenner Company within the 2nd Respondent Corporation Ward No.22, Madurai - 625 016.



For Petitioner : Mr.M.Venkatesan
For 1st Respondent : Mr.M.Murugan
Government Advocate
For Respondents 2 to 4 : Mr.T.S.Mohammed Mohideen

WEB COPY

O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

Heard Mr.M.Venkatesan, learned counsel appearing for the petitioner, Mr.M.Murugan, learned Government Advocate appearing for the 1st respondent and Mr.T.S.Mohammed Mohideen, learned counsel appearing for the respondents 2 to 4.

2.By consent on either side, this Writ Petition itself is taken up for final disposal. In view of the order we propose to pass herein, notice to respondents 5 and 6 are dispensed with.

3.The petitioner's case is that he has purchased a land in a layout viz., Meenakshi Gardens. It is alleged that respondents 5 and 6 blocked the road, which was handed over to the respondent Corporation by executing a gift deed.

4.The petitioner has produced photographs showing that a hut has been put up and there is thatched shed and bore well in an area, which has been earmarked as road.

5.Since we are disposing of this Writ Petition without notice to the respondents 5 and 6, we are not inclined to issue any positive direction, however, directs the fourth respondent to consider the petitioner's representation dated 21.09.2019, inspect the property after issuing notice to the respondents 5 and 6 and take action in accordance with law as expeditiously as possible.

6.The Writ Petition stands disposed of with the above direction. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Collector,
Madurai District,
Collector Office,

<https://hcservices.gov.in/hcservices>
Madurai 625 020.



2.The Commissioner,
Madurai Corporation,
Anna Maligai,
Madurai - 625 002.

3.The Town Planning Officer,
Madurai Corporation,
Anna Maligai,
Madurai - 625 002.

4.The Assistant Commissioner,
Madurai Corporation,
Madurai West Region,
T.B. Road,
Madurai - 625 001.

+1 CC to Mr.M.VENKATESAN, Advocate (SR-93984[F] dated 23/10/2019)

+1 CC to Mr.T.S.MOHAMED MOHIDHEEN, Advocate (SR-94115[F] dated
24/10/2019)

+1 CC to SPL GP (SR-94278[F] dated 24/10/2019)

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sj

MK (07.11.2019) 3P 8C