

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2020

CORAM

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN
AND
THE HONOURABLE MRS. JUSTICE R. HEMALATHA

W.P. No. 6333 of 2020

L.Kumar

..Petitioner

Vs.

1. The Commissioner,
Municipal Administration,
Ezhilagam, Annexe,
Chepauk, Madras - 600 005.
2. The Commissioner,
Corporation of Vellore,
Vellore -6.
3. The District Collector,
Collectorate of Vellore,
Sathuvachari,
Vellore - 9.
4. Mrs. IndiraRespondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the respondents to consider the petitioner's representations dated 25.11.2019 and 26.12.2019 for removing the encroachment of the 4th respondent on the 2nd street of Balu Nagar, 15th Ward, region 1 of Corporation of Vellore.

For Petitioner :: Mr.D.A. Sukumar
For Respondents :: Mr.Kamalesh Kannan,
Govt. Advocate for R1 & R3
Ms.P. Shanthi for R2

O R D E R

(Order of the Court was made by N. KIRUBAKARAN,J)

The petitioner has come before this Court alleging that the private respondent has encroached upon 2nd street of Balu Nagar,

Virudampet, Vellore - 6 to an extent of 4 feet width by putting up construction. In this regard, the petitioner gave representations on 03.09.2019, 25.11.2019 and finally on 28.12.2019 to the respondents. However, so far, no action has been taken, which compelled the petitioner to approach this Court.

2. Heard the learned counsel for the petitioner, Mr. Kamlesh Kannan, learned Government Advocate, who takes notice on behalf of respondents 1 and 3 and Ms. P. Shanthi, learned counsel, who takes notice on behalf of the 2nd respondent.

3. Notice to the 4th respondent is dispensed with as this Court only intends to direct the official respondents to conduct an inspection after giving notice to the petitioner as well as to the 4th respondent and take a decision thereafter.

4. Since the petitioner's grievance is that the 4th respondent has encroached upon 2nd street of Balu Nagar to an extent of 4 feet width, the 2nd respondent is directed to inspect 2nd street of Balu Nagar, Virudampet, Vellore - 6, after giving notice to the petitioner as well as to the 4th respondent, verify as to whether the 4th respondent has encroached upon the said street or not and after giving opportunity to both parties, pass appropriate orders to remove the encroachment, if made by the 4th respondent, implement the same and report before this Court after 12 weeks.

5. The writ petition is disposed of accordingly. No costs.

6. Post after 12 weeks for reporting compliance.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nv

To

1. The Commissioner,
Municipal Administration,
Ezhilagam, Annexe,
Chepauk, Madras - 600 005.

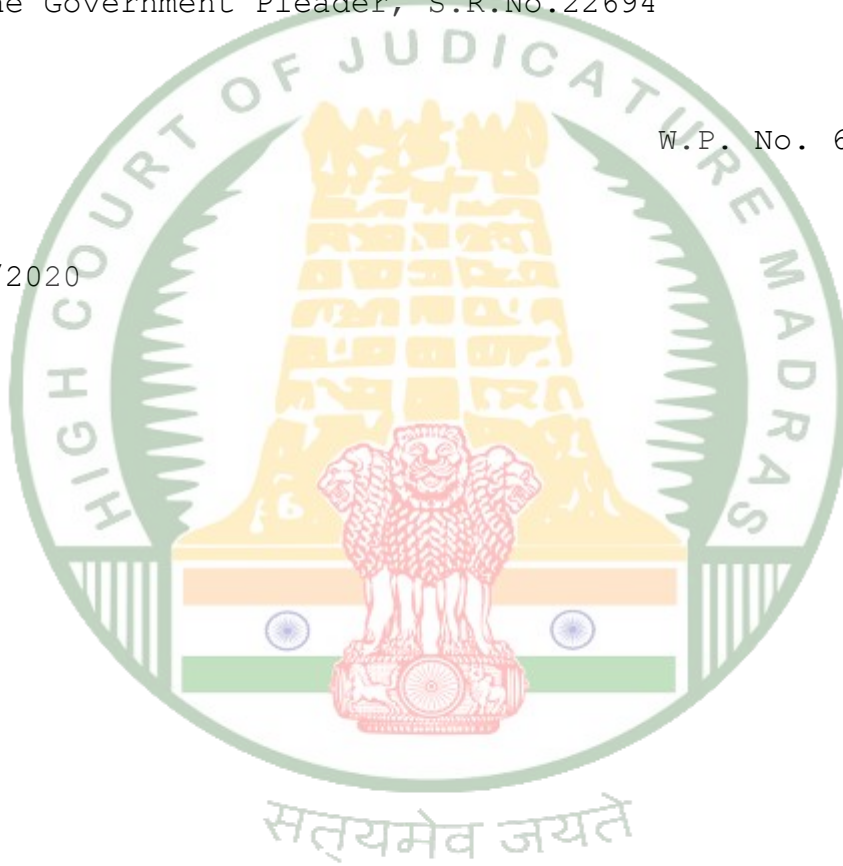
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2. The Commissioner,
Corporation of Vellore,
Vellore -6.
3. The District Collector,
Collectorate of Vellore,
Sathuvachari,
Vellore - 9.

+lcc to Mr.Sugumar, Advocate, S.R.No.22491
+lcc to Mr.Kirubakaran, Advocate, S.R.No.22605
+lcc to the Government Pleader, S.R.No.22694

W.P. No. 6333 of 2020

MG (CO)
KKV/11/06/2020



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