

W.P. No.18012 of 2020

M. SATHYANARAYANAN, J.

and

A.A.NAKKIRAN, J.

(Order of the Court was made by M.SATHYANARAYANAN, J.)

(Through Video Conferencing)

The matter is listed today under the caption “For Being Mentioned”.

2.Learned counsel appearing for the petitioner would submit that in Para No.4 of the order dated 11.12.2020, there is an inadvertent error in respect of S.No.1798/1A and that apart, there is yet another Survey Number - Old Survey No.1800 & 1798/1B, New Survey No.B 13/110, Door No.187/E & 187/E1, admeasuring an extent of 3 Acres and 28 Cents, situated in Alma House Road, Ootacamund, Nilgiris District, and these numbers may also be incorporated in the said Paragraph of the order.

3.Heard the submissions of Mr.M.Elumalai, learned Additional Government Pleader, appearing for the respondents 1 and 2.

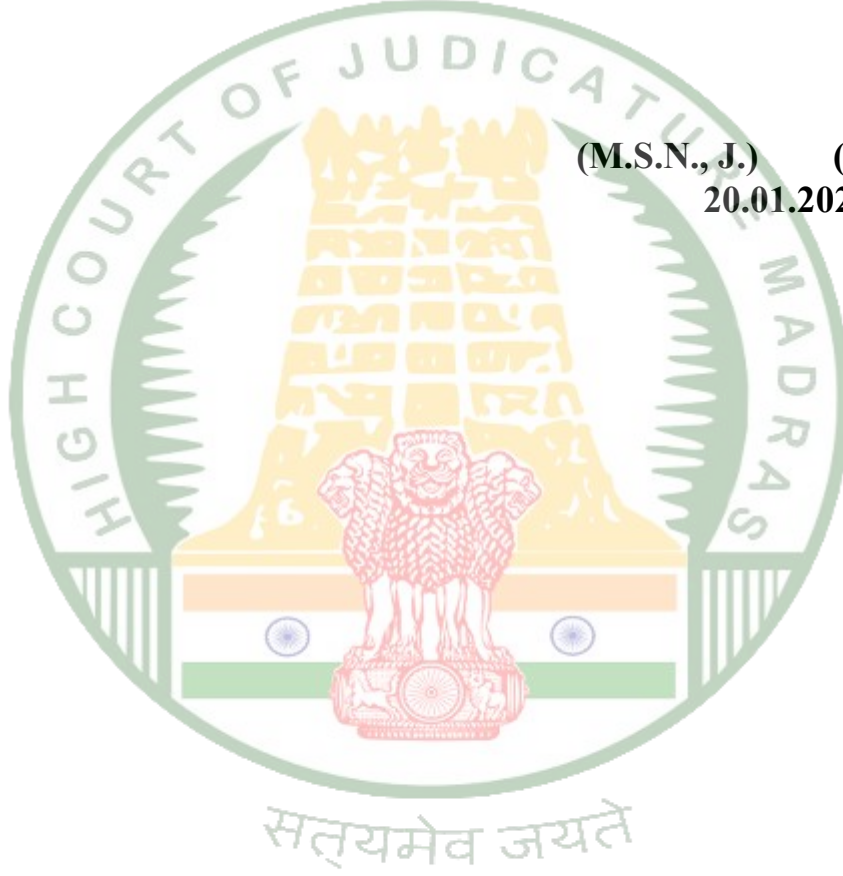
4.Para No.4 of the order, dated 11.12.2020, in W.P.No.11.12.2020, may be read as follows :

*“4.Though the petitioner prays for a relief of removal of encroachment on the part of the private respondents, this Court is of the considered view that the said relief cannot be granted by this Court in exercise of its jurisdiction under Article 226 of the Constitution of India, however, taking into consideration the limited prayer made by the petitioner as to the inspection of the old dilapidated structures and demolition of the same, the Municipal Engineer, Udthagamandalam Municipality, after putting the petitioner on notice, shall cause inspection of the buildings in **Old Survey No.1800 & 1798/1B, New Survey No.B 13/110, Door No.187/E & 187/E1, admeasuring an extent of 3 Acres and 28 Cents, situated in Alma House Road, Ootacamund, Nilgiris District**, and if the inspection reveals that the superstructures/buildings are in dilapidated or dangerous condition, shall resort to due process of law and take appropriate steps in accordance with law/provisions of the Tamil Nadu District Municipalities Act, 1920, and the rules framed therein, and shall complete the said exercise within a period of ten weeks from the date of receipt of a copy of this order/date of uploading of this order in the*

website, and communicate the decision taken to the petitioner.”

5.Registry is directed to carry out necessary corrections and re-issue the certified copy of the order on payment of necessary charges.

mkn



(M.S.N., J.) (A.A.N., J.)
20.01.2021

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M. SATHYANARAYANAN, J.
and
A.A.NAKKIRAN, J.

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