



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE  
AND  
The HON'BLE MR.JUSTICE T.S.SIVAGNANAM

W.P.(MD) No.3068 of 2021

A.Charles Peter .. Petitioner

Vs

1.The District Collector,  
Dindigul District,  
Dindigul.

2.The Commissioner,  
Dindigul Corporation,  
Dindigul.

3.Madhalai Mary @ Pookkadai Mary

4.Poongothai .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, to direct the respondents 1 and 2 to remove the encroachment made by the 3<sup>rd</sup> and 4<sup>th</sup> respondents in the Kumarasamy Konar Street and Kalamman Kovil Street, Y.M.R.Patti Dindigul, bearing S.F.No.1225/0 based on the petitioner's representation dated 04.02.2021.

For Petitioner : Mr.A.Arul Jenifer  
For 1<sup>st</sup> Respondent : Mr.R.Baskaran  
Standing Counsel.  
For 2<sup>nd</sup> Respondent : Mr.J.Lawrance  
For 3<sup>rd</sup> Respondent : No appearance  
For 4<sup>th</sup> Respondent : Mr.R.Suriyanarayanan

ORDER

[Order of the Court was delivered by

***The Hon'ble Chief Justice***]

The petitioner complains that the third and fourth respondents have encroached on Corporation land in Kumarasamy Konar Street and Kalamman Kovil Street in Y.M.R.Patti, Dindigul,



bearing S.F.No.1225/0. The petitioner claims to have made a written representation to the respondent authorities and no action having been taken pursuant thereto.

2.Mr.R.Baskaran, learned Standing Counsel for the Government, appears for the official respondents. Mr.R.Suriyanarayanan, learned counsel, appears on behalf of the fourth respondent.

3.Without going into the merits of the petitioner's complaint, W.P.(MD)No.3068 of 2021 is disposed of by requesting the second respondent Commissioner of Dindigul Corporation to receive the petitioner's further written representation to be filed within four weeks from date and take a reasoned decision thereon within eight weeks of the receipt of such representation. The second respondent will conduct an inquiry and afford both the petitioner and the third and fourth respondents an opportunity of hearing. In the event the second respondent finds any part of corporation land to have been encroached on, the second respondent will take immediate appropriate action to remove the encroachment such that the encroachment ceases to exist within eight weeks of the Commissioner's order in such regard.

There will be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

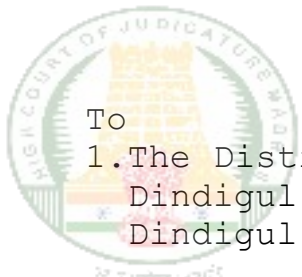
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/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The District Collector,  
Dindigul District,  
Dindigul.

2.The Commissioner,  
Dindigul Corporation,  
Dindigul.

+1 CC to MR.J.LAWRENCE, Advocate ( SR-20254[F] dated 25/06/2021 )

W.P. (MD) No.3068 of 2021  
24.06.2021

KM(02.07.2021) 3P 4C