



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.10643 of 2021

S.Anandan

.. Petitioner

Vs

1. The Commissioner,
Srivilliputhur Municipality,
Municipality Office,
Srivilliputhur - 626 125,
Virudhunagar District.

2. Tamilselvi

3. R.Subbulakshmi

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, directing the respondents to remove the encroachments made by the respondents 2 and 3 in Survey No.1086/3 in Town Survey Ward No.1, Block No.11 at Saaliyar North-South Street, Kolurpatti, Srivilliputhur, Virudhunagar District, on the basis of the petitioner's representation dated 03.04.2021, within the time frame fixed by this Court.

For Petitioner

: Mr.K.Gokul

For respondents

: Mr.Parekh Kumar for R1

ORDER

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

We have heard Mr.K.Gokul, learned counsel appearing for the petitioner and Mr.Parekh Kumar, learned counsel appearing for the first respondent.

2. Since we are disposing of this writ petition without notice to the respondents 2 and 3, we are not going into the merits of the allegations made by the petitioner in this writ petition alleging that the third respondent is an encroacher in a pathway which is described as "Sarkar Poramboke Vazhithadam" in the Town Survey land register.



3. The petitioner would state that the respondents 2 and 3 have encroached the lane and dug a pit for the purpose of constructing a sump. In this regard, a representation has been sent to the first respondent-Municipality.

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4. We direct the Commissioner of the first respondent-Municipality to look into the representation, direct an inspection to be conducted in the area and proceed in accordance with law.

5. The above direction be complied with after issuing notice to the respondents 2 and 3, within a period of six weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

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:

The Commissioner,
Srivilliputhur Municipality,
Municipality Office,
Srivilliputhur - 626 125,
Virudhunagar District.

+1 CC to M/s.K.GOKUL, Advocate (SR-20609[F] dated 30/06/2021)

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AS (07.07.2021) P 3C