



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE T. S. SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.11130 of 2021

Vinobavasavaravan

... Petitioner

Vs

- 1.The District Collector,
Thanjavur.
- 2.The Commissioner,
Municipal Corporation,
Thanjavur.
- 3.The Inspector of Police,
East Police Station,
Thanjavur.
- 4.The Deputy Superintendent,
Thanjavur Town,
Thanjavur.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, to direct the 1st and 2nd Respondents to take immediate Action for the removal of encroachment made by the dwellers on the common pathway in W-6, B-81, T.S.No.8 before subdivision and after subdivision the Number given as 8/1, 8/2 based on the petitioner's representation dated 10.08.2020 submitted for removal of encroachment and in the light of G.O.Ms.No.540 dated 04.12.2014 within a time frame as fixed by this Honourable Court.

For Petitioner : Mr.K.Sundaramoorthy

For respondents : Mr.A.K.Manickam
Standing Counsel for Government
for R1, R3 and R4
Mr.N.Dilip Kumar
Standing Counsel for R2



O R D E R

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

Heard Mr.K.Sundaramoorthy, learned counsel appearing for the petitioner, Mr.A.K.Manickam, learned Standing Counsel for Government, appearing for the respondent Nos.1, 3 and 4 and Mr.N.Dilip Kumar, learned counsel for respondent No.2.

2.This Writ Petition has been filed for immediately removing all encroachments, for which, already action has been initiated by the respondent Municipality, which is evident from the communication sent to the petitioner dated 08.03.2021.

3.Mr.N.Dilip Kumar, learned Standing Counsel for the second respondent Municipality submitted that due to the pandemic situation, action has not been initiated for eviction of encroachment and if reasonable time is granted, appropriate action will be taken in accordance with law.

4.In the light of the same, the second respondent Municipality is directed to proceed further as intimated by them to the petitioner vide order dated 08.03.2021 and take action in accordance with law so that the encroachments are removed. This direction be complied with within twelve weeks from the date of receipt of a copy of this order.

5.The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

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,
Thanjavur.

2.The Commissioner,
Municipal Corporation,
Thanjavur.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Inspector of Police,
East Police Station,
Thanjavur.

4.The Deputy Superintendent,
Thanjavur Town,
Thanjavur.

+1 CC to M/s.N.DILIP KUMAR, Advocate (SR-21359[F] dated
06/07/2021)

+1 CC to M/s.K.SUNDARAMOORTHY, Advocate (SR-21362[F] dated
06/07/2021)

+1 CC to M/s.SPL GP (SR-21704[F] dated 08/07/2021)

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MA (CO)

RD(16.07.2021) 3P 8C