



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.16044 of 2021

and

W.M.P(MD)No.12920 of 2021

WEB COPY

E.George Kevin

... Petitioner

Vs.

- 1.The District Collector,
District Collector's Office,
Trichy - 1,
Trichy District.
- 2.The Revenue Divisional Officer (RDO),
District Collector's Office Campus,
Trichy - 1,
Trichy District.
- 3.The Tahsildar,
Taluk Office (East),
Trichy,
Trichy District.
- 4.The Commissioner,
Trichy City Corporation,
Cantonment,
Trichy District.
- 5.The Assistant Executive Engineer,
Trichy City Corporation,
Ariyamangalam Zonal Office,
Trichy District.
- 6.P.S.Subramani
- 7.Kamatchi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 3 to 5 herein to take appropriate steps as against the illegal encroachment committed by the respondents 6 and 7 herein on the public road situated at Trichy District, Trichy East Taluk, Trichy City Corporation, Ariyamangalam Zone, Ward - 23, Sengulam Village, Palakkarai, Paruppukara Street, Sebasthiyar Kovil Street in the



light of the petitioner's representation dated 27.07.2021 within a stipulated period as may be fixed by this Court.

For Petitioner : Mr.R.Sundar
For RR 1 to 3 : Mr.P.Thilak Kumar
Government Pleader
For RR 4 & 5 : Mr.R.Baskaran
Standing Counsel

ORDER

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

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the respondents 3 to 5 to take appropriate steps as against the illegal encroachment committed by the respondents 6 and 7 on the public road situated at Trichy District, Trichy East Taluk, Trichy City Corporation, Ariyamangalam Zone, Ward - 23, Sengulam Village, Palakkarai, Paruppukara Street, Sebasthiyar Kovil Street in the light of the petitioner's representation dated 27.07.2021 within a time frame.

2.It is the contention of the petitioner that the private respondents have encroached the street causing hindrance to the free flow of vehicles and pedestrians.

3.Mr.R.Baskaran, learned Standing Counsel, taking notice for the respondents 4 and 5 submitted that the respondents 4 and 5 have already issued stop work notice to the encroachers and that the survey of the land has already been done and prayed this Court to grant three weeks time for removing the encroachments in the street, if the survey report indicates any encroachment made by the private parties.

4.The learned counsel appearing for the petitioner submitted that in view of the submission made by the learned Standing Counsel for the respondents 4 and 5, the Writ Petition may be disposed of.

5.Having regard to the submissions made by the learned counsel appearing on either side, recording the submission made by the learned Standing Counsel for the respondents 4 and 5, in the case of the surveyor finding any encroachment made in the street as alleged by the petitioner, the respondents 4 and 5 shall remove the same within a period of three weeks from the date of receipt of a copy of this order, after issuing notice to all the encroachers.



6.With these observations, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

WEB COPY

/ /2021

Sub Assistant Registrar(CS)

ps

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,
District Collector's Office,
Trichy - 1,Trichy District.
- 2.The Revenue Divisional Officer (RDO),
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Trichy - 1, Trichy District.
- 3.The Tahsildar,
Taluk Office (East),
Trichy, Trichy District.
- 4.The Commissioner,
Trichy City Corporation,
Cantonment,
Trichy District.
- 5.The Assistant Executive Engineer,
Trichy City Corporation,
Ariyamangalam Zonal Office,
Trichy District.

+1 CC to M/s.R.BASKARAN, Advocate (SR-28541[F] dated 08/09/2021)

+1 CC to M/s.GP (SR-28680[F] dated 09/09/2021)

W.P (MD) No.16044 of 2021
08.09.2021

RK (17.09.2021) 3P 8C