



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2021

CORAM:

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND**

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)No.21488 of 2021

A.Chellappa

... Petitioner

Vs.

1.The Commissioner,
Tiruchirappalli Corporation,
Trichy.

2.The Assistant Commissioner,
Srirangam Zone,
Tiruchirappalli Corporation,
Trichy.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to consider petitioner's representation dated 05.12.2019 and remove the encroachments on the public roads comprised in T.S.No.2249, 2219, Block 52, 53, Ward 2, Srirangam Zone of Trichy Corporation in a time bound manner.

For Petitioner : Mr.Raguvaran Gopalan

For Respondents : Mr.R.Baskaran
Standing Counsel

ORDER

(Order of the Court was made by PUSHPA SATHYANARAYANA,J.)

The Writ Petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents to consider petitioner's representation, dated 05.12.2019, and remove the encroachments on the public roads comprised in T.S.No.2249, 2219, Block 52, 53, Ward 2, Srirangam Zone of Trichy Corporation in a time bound manner.

2.Mr.R.Baskaran, learned Standing Counsel, accepts notice on behalf of the respondents.

3.By consent of both sides, this Writ Petition itself is taken up for final disposal at the time of admission.



4. According to the petitioner, there are more than 100 encroachers and they have been provided alternative housing accommodation at the flats constructed at J.J. Nagar (near YatriNivas) in the year 2014. In spite of the same, the encroachers have occupied the public roads in the subject survey numbers. In this regard, the petitioner has given a representation on 05.12.2019, which has not been considered so far.

5. Considering the fact that the representation of the petitioner is pending consideration, the first respondent is directed to consider the representation of the petitioner, dated 05.12.2019, after affording an opportunity of personal hearing to him as well as the encroachers and then pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS III)

// 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 Commissioner,
Tiruchirappalli Corporation,
Trichy.

2. The Assistant Commissioner,
Srirangam Zone,
Tiruchirappalli Corporation,
Trichy.

+1 CC to M/s.R.BASKARAN, Advocate
(SR-37279[F] dated 03/12/2021)

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