



WEB COPY

W.P.(MD) No.22624 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2021

CORAM :

**THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE**

AND

**THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA
W.P. (MD) No.22624 of 2021**

Parvathi

.. Petitioner

Vs.

1. The District Collector,
Trichy District, Trichy.
2. The Commissioner,
Trichy Corporation, Trichy-1.
3. The Tahsildar,
Trichy West, Trichy.

4.Bose

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus, directing the respondents 1 to 3 herein to remove the encroachment made by the 4th respondent by putting up illegal superstructure over the 15 feet Public Road namely K.R.S.Nagar, 5th Cross Street, A.Pudhur, Trichy, by demolishing the illegal constructions put up by 4th respondent.

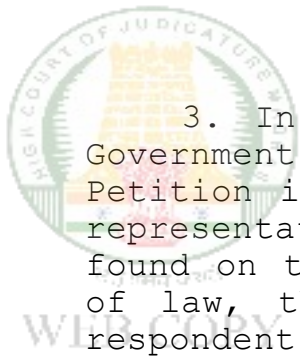
For Petitioner : Mr.D.Baskar
For R1 to R3 : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

[Order of the Court was made by The Hon'ble ACTING CHIEF JUSTICE]

The writ petition has been filed alleging encroachment on the public road to an extent of 15 feet. The representation to remove the encroachment was given, but no heed to it was paid by the respondents 1 to 3. In view of the above, this writ petition is filed to restore the position of the public road encroached by the private respondent.

2. The learned Additional Government Pleader appearing for the respondents 1 to 3 undertakes to consider the representation made by the petitioner and if any encroachment is found on the public road, then to remove it as per the principles of law.



3. In view of the statement made by the learned Additional Government Pleader appearing for the respondents 1 to 3, this Writ Petition is disposed of, with a direction to them to consider the representation made by the petitioner and if any encroachment is found on the public road, then to remove it as per the principles of law, that is, opportunity of hearing would be given to the respondent No.4 before an action therein. A compliance report thereupon would be submitted before this Court within a period of three months from today. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

bala/ssl

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,
Trichy District, Trichy.
2. The Commissioner,
Trichy Corporation, Trichy-1.
3. The Tahsildar,
Trichy West, Trichy.

Copy to :

The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

+1 C.C. to Special Government Pleader, S.R.No.39967.
+1 C.C. to M/s.D.Baskaran, Advocate, S.R.No.39826.

W.P. (MD) No.22624 of 2021

21.12.2021

USK (03.01.2022) 2P 7C