



W.P.(MD) No.19339 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.10.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

W.P.(MD) No.19339 of 2021

K.Sundar

... Petitioner

-vs-

1.The District Collector
Madurai District
Madurai

2.The Commissioner
Madurai Corporation
Thallakulam, Madurai

3.The Chief Engineer
Tamil Nadu Generation and
Distribution Corporation Limited
(TANGEDCO)
Madurai

4.The Superintendent Engineer (Metro)
Tamil Nadu Generation and
Distribution Corporation Limited
(TANGEDCO)
Madurai-1

... Respondents



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WEB C **PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the second respondent to remove the encroachment made by the respondents 3 and 4 subordinates and other general public namely respective house owners on the either side of the public road belonged to the second respondent, namely, Tamilan Street, Jawahar Salai at Madurai, beside order to restore the 60 feet road based on the petitioner's representation dated 06.10.2021, within a time frame.

For Petitioner : Mr.J.Imran Khan

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1
Mr.B.Saravanan
Standing Counsel for R2
Mr.S.Deenadhayalan for R3

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

The prayer in this writ petition is for issuance of a writ of mandamus directing the second respondent to remove the encroachment made by the respondents 3 and 4 in Tamilan Street, Jawahar Salai, Madurai, based on the petitioner's representation dated 06.10.2021, within a time frame.



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2. The grievance of the petitioner is that though he made a representation to the respondents as early as on 06.10.2021 seeking removal of the encroachment made by the respondent – Electricity Board and others in the aforesaid street, till date the same has not been considered.

3. The learned Government Pleader appearing for the first respondent, on instructions, submitted that the petitioner's representation dated 06.10.2021 would be considered and appropriate action would be taken in accordance with law.

4. In view of the above, without going into the merits of the claim made by the petitioner, the authority concerned is directed to consider the petitioner's representation dated 06.10.2021 and pass appropriate orders, if not already disposed of, on merits and in accordance with law. If there is any encroachment as pointed out by the petitioner, the same shall be removed, after giving due notice to all the parties concerned and by following due process of law, within a period of eight (8) weeks from the date of receipt of a copy of this order.



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5. With the above direction, this writ petition is disposed of. No costs.

[R.M.D., J.] [J.S.N.P., J.]

27.10.2022

Index : Yes / No
Internet : Yes / No

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To:
The District Collector,
Madurai District,
Madurai.



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and
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