



W.P.(MD) No.4734 of 2014

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2022

CORAM:

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

W.P.(MD) No.4734 of 2014
and
M.P.(MD) No.1 of 2014

M.Meena

... Petitioner

-VS-

1.The Commissioner
Trichy Municipal Corporation
Trichy

2.The Commissioner of Police
Trichy City
Trichy

3.The Inspector of Police
Uraiur Police Station
Uraiur, Trichy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue
a writ of mandamus directing the respondents not to allow any



W.P.(MD) No.4734 of 2014

encroachments, in 50 feet road and 40 feet road, abetting Plot Nos.46, 47 and 48 in Town Survey Nos.32, 33, 34 and 35, which are in the approved layout with reference to approval order DTPRC.No.12916/1998, dated 14.11.1998, in Puttur area, formerly Aruna Nagar, in Block No.1, E.Ward, Uraiyur Police limits, within Trichy Municipal Corporation limits, in the light of the order passed in W.P.No.4767 of 1985, dated 17.10.1995 and the orders passed in W.A.No.235 of 1997 and W.A.No.240 of 1997, dated 04.11.2004.

For Petitioner : Mr.F.X.Eugene

For Respondents : Mr.R.Baskaran
Standing Counsel for R1
Mr.T.Senthil Kumar
Additional Public Prosecutor for R2 & 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 respondents not to allow any encroachments in 50 feet road and 40 feet road abetting Plot Nos.46, 47 and 48 in Town Survey Nos.32, 33, 34 and 35, which are in the approved layout with reference to approval order DTPRC.No.12916/1998, dated 14.11.1998, in Puttur area, formerly Aruna Nagar, in Block No.1, E.Ward, Uraiyur Police limits, within



W.P.(MD) No.4734 of 2014

WEB CCM

Trichy Municipal Corporation limits, in the light of the order passed in W.P.No. 4767 of 1985, dated 17.10.1995 and the orders passed in W.A.No.235 of 1997 and W.A.No.240 of 1997, dated 04.11.2004.

2. Today, when the matter was taken up for hearing, the learned Standing Counsel appearing for Trichy Municipal Corporation submitted that the encroachments as alleged by the petitioner have been removed and as on date, there is no encroachment in the subject area.

3. The learned counsel for the petitioner strenuously refuted the above submission of the learned Standing Counsel. According to the learned counsel, as on date there are encroachments in the subject area yet to be removed by the respondents.

4. In reply, the learned Standing Counsel for Trichy Municipal Corporation fairly submitted that if the petitioner makes a fresh representation to the authority concerned, with all supportive documents, the same would be considered in the manner known to law.



WEB COPY

W.P.(MD) No.4734 of 2014

5. Recording the above submission of the learned Standing Counsel, the petitioner is directed to submit a fresh representation forthwith to the Authority concerned setting out her grievance. On receipt of such representation, the Authority concerned shall pass appropriate orders on merits and in accordance with law.

6. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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

28.09.2022

Index : Yes / No

Internet : Yes / No

krk

To:

1.The Commissioner of Police,
Trichy City, Trichy.

2.The Inspector of Police,
Uraiyr Police Station,
Uraiyr, Trichy.



WEB COPY



W.P.(MD) No.4734 of 2014

R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

krk

W.P.(MD) No.4734 of 2014
and
M.P.(MD) No.1 of 2014

28.09.2022