



W.P(MD)No.22387 of 2015

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2022

CORAM:

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

W.P(MD)No.22387 of 2015

Chinnammal

... Petitioner

VS.

1.The Managing Director / Chairman,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Triplicane,
Chennai – 600 005.

2.The District Collector,
Pudukottai District,
Pudukottai.

3.The Executive Engineer,
Slum Clearance Board,
Trichy Division.

4.The Tahsildar,
Pudukottai Taluk,
Pudukottai District.

5.G.Ananthan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India
praying for the issuance of a Writ of Mandamus, directing the third

1/5



W.P(MD)No.22387 of 2015

respondent to remove the encroachment made by the fifth respondent on the East and West of Plot No.19, Balan Nagar in Survey No.95/6, 9A Nathampennai Village, Pudukottai and resume the possession of the same as a road.

For Petitioner : Mr.Babu Rajendran
For RR 1 & 3 : Mrs.P.Latha
Standing Counsel
For RR 2 & 4 : Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

The prayer made in this Writ Petition is to issue a Writ of Mandamus, directing the third respondent to remove the encroachment made by the fifth respondent on the East and West of Plot No.19, Balan Nagar in Survey No.95/6, 9A Nathampennai Village, Pudukottai, and resume the possession of the same as a road.

2. Seeking removal of encroachment made by the fifth respondent, the petitioner submitted a representation, dated 09.09.2015, before the third respondent. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

2/5



W.P(MD)No.22387 of 2015

WEB COPY

3. The learned standing counsel appearing for the respondents 1 and 3 fairly submitted that if there is any encroachment as pointed out by the petitioner, the same will be removed by following due process of law within a time frame fixed by this Court.

4. In view of the above, the respondents 1 & 3 are directed to consider the representation of the petitioner, dated 09.09.2015 and conduct a survey in the place in question. If there is any encroachment, the same shall be removed by following due process of law, after affording due opportunity of hearing to the petitioner as well as all the parties concerned including the fifth respondent. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of with the above direction. No costs.

[R.M.D.,J.] & [J.S.N.P.,J.]
15.09.2022

Index : Yes / No
Internet : Yes
ps

3/5



W.P(MD)No.22387 of 2015

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W.P(MD)No.22387 of 2015

R.MAHADEVAN,J.

and

J.SATHYA NARAYANA PRASAD,J.

ps

**ORDER MADE IN
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