



W.P.(MD) No.16091 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.16091 of 2018

A.Jahir Hussain

... Petitioner

Vs.

1.Tiruchirappalli Corporation,
Rep. By its Commissioner,
Tiruchirappalli.

2.The Assistant Commissioner,
Ariyamangalam Division,
Tiruchirappalli Corporation,
Tiruchirappalli.

3.Abdul Majeed

4.Jamruth Begum

5.Mehraj

6.Kamurudeen

Page 1 of 6



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7.Rahim

W.P.(MD) No.16091 of 2018

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 to pass orders on the petitioner's representation dated 13.02.2018 requesting to remove the encroachment made by the respondents 3 to 7 in T.S.No.175, Muslim Street, Varaganeri, Periyapalayam, Tiruchirappalli - 8 abutting the petitioner's house situated in T.S.No.146, within a time frame fixed by this Court.

For Petitioner : Mr.P.Vinoth

For Respondents : Mr.R.Baskaran
Standing Counsel for R1 & R2
No appearance for R3 to R7

ORDER

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

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to pass orders on the petitioner's representation dated 13.02.2018, requesting to remove the encroachment made by the respondents 3 to 7 in T.S.No.175, Muslim Street, Varaganeri, Periyapalayam,



W.P.(MD) No.16091 of 2018

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2. It is the case of the petitioner that the respondents 3 to 7 have encroached the land in T.S.No.175, Muslim Street, Varaganeri, Periyapalayam, Tiruchirappalli – 8. In this regard, the petitioner made a representation on 21.02.2017 to the respondents 1 and 2. In response to the same, the second respondent has sent a communication in Na.Ka.No.1958/F1/அரிபு dated 09.06.2017 to the petitioner, stating that the survey conducted by the Town Surveyor revealed encroachment in T.S.No.175. According to the petitioner, despite the aforesaid communication, till date no action has been taken to remove the encroachment. Hence, the petitioner has filed this Writ Petition.

3. The learned Standing Counsel appearing for the respondents 1 and 2 fairly submitted that authorities concerned will remove the encroachments by following due process of law within a time frame.



W.P.(MD) No.16091 of 2018

WEB COPY

4. Recording the above submission, this Writ Petition is disposed of with a direction to the official respondents to remove the encroachments in T.S.No.175 after affording sufficient opportunity of hearing to all the parties concerned and by following due process of law. Such an exercise shall be completed within eight weeks from the date of receipt of a copy of this order. No costs.

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

10.10.2022

vsm



W.P.(MD) No.16091 of 2018

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To

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W.P.(MD) No.16091 of 2018

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