



W.P.(MD) No.26616 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.26616 of 2022

V.Selvaraj

... Petitioner

Vs.

- 1.The District Collector,
O/o. The District Collector,
Ramanathapuram District.
- 2.The Director,
O/o. Commissioner of Town Panchayat,
7th & 8th Floor, Urban Administrative
Office Campus, Chennai – 28.
- 3.The Assistant Director,
O/o.Assistant Director of Town Panchayat,
Sivagangai District.
- 4.The Executive Officer,
O/o. The Executive Officer,
Town Panchayat,



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Sayalkudi Town Panchayat,
Ramanathapuram District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encroachment made in and around the Sayalkudi Town Panchayat bus stand and protect the same for public utility by considering the petitioner's representation dated 10.10.2022 within the time stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.P.Thilak Kumar,
Govt. Pleader for R1 to R3

Mr.V.Nirmal Kumar,
Govt. Advocate for R4

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 to remove the encroachment made in and around the



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Sayalkudi Town Panchayat bus stand and protect the same for public utility, by considering the petitioner's representation, dated 10.10.2022, within time frame.

2. Heard Mr.T.Thirumurugan, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader, who takes notice for the respondents 1 to 3 and Mr.V.Nirmalkumar, learned Government Advocate, who takes notice for the fourth respondent.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4. It is the claim of the petitioner that in and around the Sayalkudi Town Panchayat bus stand, encroachments have been made by the street food vendors, causing hindrance to the passengers, who are waiting for the buses. In this regard, though the petitioner made a representation on 10.10.2022, seeking to remove the aforesaid encroachment and pursuant thereto, the fourth respondent has issued notices vide his proceedings in Na.Ka.No.191/2022, dated 12.10.2022



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to the encroachers, directing them to remove the aforesaid encroachment within 30 days, till date, no action has been taken by the respondents to remove the same. Hence, this Writ Petition.

5. The learned Government Pleader appearing for the respondents 1 to 3 submitted that the representation of the petitioner dated 10.10.2022 would be considered by the official respondents and appropriate action will be taken to remove the encroachment, if any, in the place in question by due process of law, within a time frame, for which, the learned counsel for the petitioner is agreeable.

6. Recording the above submissions, this Writ Petition is disposed of with a direction to the second respondent to consider and dispose of the representation of the petitioner dated 10.10.2022, on merits and in accordance with law. If there is any encroachment in the place in question, the second respondent shall remove the same, after affording sufficient opportunity to all the parties and by following due process of law. Such an exercise shall be



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completed within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

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

vsm

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