



W.P.No.3240 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.3240 of 2023

A.Velumani

.. Petitioner

Vs

- 1 The District Collector
District Collector Office
Coimbatore - 641018.
- 2 The Sub Collector
Sub Collector Office
Pollachi - 642002.
- 3 The Tahsildar
Tahsildar Office
Pollachi - 642002.
- 4 The Commissioner
Pollachi Municipality
Palakkad Road
Pollachi - 642001.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents



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herein to take necessary steps to remove the encroachment on the 80 feet scheme road forming the southern boundary of the petitioner's property in plot bearing No.8 in DTCP approved layout namely "Niranjan Gardens" admeasuring an extent of 2804 sq.ft. comprised in T.S.No. 169 in T.Kottampatti, Pollachi Taluk, Pollachi Sub-District, Coimbatore District and to provide access to the petitioner's house site.

For the Petitioner : Ms.S.Akila

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 to 3

: Mr.B.Anand
Standing Counsel
for 4th respondent

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

A.Velumani, wife of K.M.Anandaraj, a resident of Rajarathinam Street, Pollachi, has filed this writ petition seeking issuance of a writ of mandamus to direct the respondents herein to take necessary steps to remove the encroachment on the 80 feet scheme road forming the southern boundary of the petitioner's property in plot bearing No.8 in DTCP approved layout namely "Niranjan Gardens"



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admeasuring an extent of 2804 sq.ft. comprised in T.S.No. 169 in T.Kottampatti, Pollachi Taluk, Pollachi Sub-District, Coimbatore District and to provide access to the petitioner's house site.

2. Ms.S.Akila, learned counsel for the petitioner, would submit a temple has been constructed in the 80 feet Scheme Road in front of the petitioner's house site obstructing the petitioner's access to her property. To fortify the aforesaid submission, the petitioner produced photographs which clearly show that there is an encroachment.

3. Mr.B.Anand, learned Standing Counsel appearing on behalf of the fourth respondent, would submit that the fourth respondent shall remove the encroachment with police aid within six weeks from the date of receipt of a copy of this order.

4. Mr.P.Muthukumar, learned State Government Pleader appearing on behalf of respondents 1 to 3, submitted that the fourth respondent shall be given necessary assistance for removal of the encroachment in question.



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5. In view of the submissions made by learned counsel for the respondents, the writ petition is disposed of with a direction to the fourth respondent to remove the encroachment in question with police aid within a period of six weeks from the date of receipt of a copy of this order. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
06.02.2023

Index : No
Neutral Citation : No
sasi

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THE HON'BLE ACTING CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sasi)

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