



WEB COPY



W.P.No.321 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2023

CORAM :

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ**

**Writ Petition No.321 of 2018
and
WMP.No.374 of 2018**

Meherbanu

.. Petitioner

Versus

1. The District Collector,
Coimbatore District - 641 018.
2. The District Revenue Officer,
Coimbatore - 641 018.
3. The Commissioner,
Coimbatore Corporation,
Coimbatore - 641 001.
4. The Revenue Divisional Officer,
Coimbatore South,
Coimbatore 641018.
5. M.Mohammed Jaffer Ali

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondent 1 to 4 from demolishing the construction of shed put up by the petitioner together with fence at Anupparpalayam Village Madukkarai Taluk Coimbatore District comprised in SF.No.255/1 situated at Ward No.41 block No.7 T.S.No.192 without following due process of law.



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For Petitioner

: Mr.S.Selvathirumurugan

For R1, R2 & R4

: Mr.A.Selvendran
Special Government Pleader

For R3

: Mr.Najeeb Usman Khan
Standing Counsel

ORDER

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

This writ petition has been filed seeking for a mandamus forbearing the respondents 1 to 4 from demolishing the petitioner's shed along with fencing at Anupparpalayam Village Madukkarai Taluk Coimbatore District comprised in SF.No.255/1 situated at Ward No.41 block No.7 T.S.No.192, without following due process of law.

2. Today, when the matter was taken up for consideration, the learned counsel for the third respondent filed a status report, in which it is stated as follows:-

"2. It is further submitted that a field inspection was carried out on 05.02.2023 by the Sub-Inspector of Survey and on Survey of the area comprised in SFNo.255/1 sitated at Ward No.41, Block No.7, T.S.No.192, it was found out that the Shops with G.I.Sheet



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roof, Toilet and a Zinc Sheet fencing that have been put up on the said T.S.No.192 are NOT the encroachments as per the Town Survey Land Registers maintained in the Coimbatore Municipal Corporation Office Survey Department."

Thus, according to the learned counsel, there is no encroachment in S.F.No.255/1 situated at Ward No.41, Block No.7, T.S.No.192.

3. The aforesaid submission has also been fairly conceded by the learned counsel for the petitioner.

4. Recording the above submission made by the learned counsel appearing on either side, this writ petition stands closed. No costs. Consequently, the connected miscellaneous petition is also closed.

[R.M.D., J.] [M.S.Q., J.]
08.02.2023

Index : Yes / No
Internet : Yes / No
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AND
MOHAMMED SHAFFIQ, J.

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