



W.P.No.8623 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.8623 of 2023

P.S.Vimal

.. Petitioner

Vs

- 1.The Joint Secretary,
The Water Supply Board Municipality-2,
The Tamil Nadu Secretariat,
Fort St. George,
Chennai-600 009.
- 2.The Commissioner,
The Directorate of Town Panchayat,
7th, 8th Floor, Urban Administration Building,
Chennai-600 028.
- 3.The District Collector,
The District Collector Office,
Tiruvallur,
Tiruvallur District.
- 4.The Assistant Director,
Town Panchayat,
Tiruvallur District.



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5.The Executive Officer,
Pallipattu Town Panchayat,
Pallipattu,
Tiruvallur District.

6.Nagaraj

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the fifth respondent to take action in the proceedings made Na.Ka.No.2476/2022/A3 dated 12.11.2022 and Na.Ka.No.2713/2022/A1 dated 01.12.2022 by the fourth respondent and further direct the fifth respondent to remove the illegal encroachment made by the sixth respondent in Pallipattu Municipality, 11th Ward, West Street, 6 feet public line.

For the Petitioner : Mr.D.Padmanabhan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondent Nos.1 to 5

ORDER

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

P.S.Vimal, son of Sekar, a resident of No.25, Peri Street, Pallipattu Town, Tiruvallur District, has filed this writ petition seeking issuance of a writ of mandamus directing the fifth



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respondent to take action in the proceedings made in Na.Ka.No.2476/2022/A3 dated 12.11.2022 and Na.Ka.No.2713/2022/A1 dated 01.12.2022 by the fourth respondent and further direct the fifth respondent to remove the illegal encroachment made by the sixth respondent in 6 feet public lane situated at Ward No.11, West Street, Pallipattu.

2. Mr.D.Padmanabhan, learned counsel appearing for the petitioner would submit that the sixth respondent is putting up construction by encroaching upon the 6 feet public lane in Ward No.11, West Street, Pallipattu. Despite representations made by the petitioner to respondents 1 and 2 and the same being forwarded to respondents 4 and 5 to take action, so far no action was taken to remove the encroachment. Hence, the petitioner has been advised to come to this Court.

3. Mr.P.Muthukumar, learned State Government Pleader appearing on behalf of respondents 1 to 5, submitted that, if three weeks' time is granted to the fifth respondent, the fifth respondent will



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inspect the lane in question and, if encroachment is found, the same would be removed.

4. Recording the aforesaid submission made by learned State Government Pleader, the writ petition is disposed of with a direction to the fifth respondent to inspect the lane in question and remove the encroachment, if any, within a period of three 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.)
20.03.2023

Index : Yes/No
Neutral Citation : Yes/No
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