



W.P.No.11449 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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M.Ponnaiyan

.. Petitioner

Vs

- 1.The Local Planning Authority,
Coimbatore,
Directorate of Town and Country Planning (DTCP),
Coimbatore Corporation,
Coimbatore – 641 001.
- 2.The Deputy Director,
Coimbatore, Nilgiris Region,
Directorate of Town and Country Planning (DTCP),
Dr. Nanjappa Road,
Coimbatore – 651 018.
- 3.The Joint Director,
Coimbatore,
Directorate of Town and Country Planning (DTCP),
Dr. Nanjappa Road,
Coimbatore – 651 018.



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- 4.The Director,
Directorate of Town and Country Planning (DTCP),
2nd, 3rd & 4th Floor, C&E Market Road,
Koyambedu,
Chennai-600 107.
- 5.The Block Development Officer (Village Panchayat),
Karamadai Panchayat Union,
Karamadai,
Coimbatore District.
- 6.The President,
Chikkadasapalayam Panchayat,
Mettupalayam – 641 301.
- 7.The Tahsildar,
Mettupalayam Taluk,
Mettupalayam – 641 301,
Coimbatore District.
- 8.The District Collector,
Coimbatore,
Collectorate, State Bank Road,
Coimbatore – 641 018.
- 9.The Mettupalayam Tamil Sangam,
5/404, Cheran Nagar, Opp. to CTC,
Mettupalayam – 641 301.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to remove the unlawful encroachments made by the private Association namely Mettupalayam Tamil Sangam herein the 9th respondent, in the reserved land earmarked for public purpose at Teachers Colony, Mettupalayam, by considering the representation dated 23.1.2023.



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For the Petitioner : Mr.Pa.Saigovindaraja

For the Respondents : Mr.J.Ravindran
Addl. Advocate General
assisted by
Mr.A.Selvendran
Spl. Government Pleader
for respondents 1 to 4

: Mr.P.Muthukumar
State Government Pleader
for fifth respondent

ORDER

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

M.Ponnaiyan, son of Muthusamy, a resident of Door No.5/414A, Teachers Colony, Opp. CTC, Mettupalayam, has filed by this writ petition seeking removal of encroachment made by respondent No.9 in the reserved land earmarked for public purpose in Teachers Colony, Mettupalayam.

2. We have gone through the bald affidavit filed in support of the writ petition running into five pages. Nowhere in the affidavit the petitioner has mentioned the survey number in which



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respondent No.9 has made an encroachment and also the extent of encroachment. The affidavit is vague and bereft of necessary particulars. This Court is unable to accept the prayer as it has not been substantiated with any materials on record. Moreover, no revenue record has been produced to justify the claim made by the petitioner.

3. For the reasons aforesaid, the writ petition is dismissed.
There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
17.04.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

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