



W.P.No.18156 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.18156 of 2023

N.KANNUSAMY

.. Petitioner

Vs

1 THE SUB-COLLECTOR
POLLACHI TALUK

2 THE COMMISSIONER
POLLACHI MUNICIPALITY
POLLACHI.

3 THE DIVISIONAL ENGINEER
O/O. THE DIVISIONAL ENGINEER (HIGHWAYS)
POLLACHI - 642 002

4 THIRUMOORTHY

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 2nd respondent to consider the petitioner's representation dated 21.02.2023 to remove the dilapidated house, which is situated in the main road nearby Kottampatti bus stop Pollachi to Tirupur National High way.



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For the Petitioner : Mr.S.Nagarajan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by
Mrs.R.Anitha
Special Government Pleader
for respondents 1 and 3

: Mr.B.Anand
for 2nd respondent

ORDER

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

We have heard Mr.S.Nagarajan, learned counsel for the petitioner; Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader, for respondents 1 and 3; and Mr.B.Anand, learned counsel for the second respondent.

2. The prayer is to remove the dilapidated house situated in the main road near Kottampatti Bus Stop, Pollachi to Tirupur National Highway.



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3. Learned State Government Pleader submits that the fourth respondent had filed a civil suit in the year 1997 after a portion of the encroachment was removed. The suit was dismissed. He filed an appeal, bearing A.S.No.11 of 2006, and the appeal is decided in favour of the fourth respondent.

4. It is for the authorities to take appropriate steps in the matter qua the prohibitory orders, if any. The authorities may examine the order passed by the appellate court and take steps as may be permissible under law.

The writ petition is disposed of accordingly. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

21.06.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi

To:



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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU,J.

(sasi)

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