



WMP.No.24606 of 2021

in

WP.No.1693 of 2020

R. MAHADEVAN, J.

and

MOHAMMED SHAFFIQ, J.

(Order of the court was made by R.Mahadevan, J.)

This petition has been filed by the petitioner / 3rd party to implead herself as third respondent to the writ proceedings.

2.It is stated in the affidavit filed in support of this petition that the petitioner herein has already filed WP.No.6058 of 2019 against the writ petitioner in WP.No.1693 of 2020, and two others seeking a direction to the respondent authorities to remove the encroachment made in the common passage comprised in S.No.E/12/6, which is close to the Municipal Residential Quarters, Udhagamandalam, The Nilgiris District, in which the petitioner herein and her family members are residing. By order dated 18.07.2019, the said writ petition was disposed of, based on the statement made by the learned counsel that the respondent authorities would take expeditious steps in relation to removal of the encroachment. Suppressing the said fact and without impleading the petitioner herein as party respondent, the third respondent filed WP.No.1693 of 2020 and obtained an order of *status quo* on 31.01.2020. In



view of the same, the respondent authorities have not taken any steps to remove the encroachment as directed in the order dated 18.07.2019 passed in WP.No.6058 of 2019. Therefore, this miscellaneous petition.

3. Heard both sides. The learned counsel for the respondents 1 and 2 stated no objection for ordering this petition.

4. Having regard to the reasons stated in the accompanying affidavit and being satisfied with the same, this petition is ordered as prayed for.

5. Registry is directed to carry out the necessary amendment in the writ petition.

[R.M.D., J.] [M.S.Q., J.]
28.03.2023

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