



W.P.No.32468 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2023

CORAM :

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

AND

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

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Dodabetta Tea Factory  
Represented by its Managing Partner  
N.K.Krishnamoorthy  
S/o.Late N.Kappinipathy  
Doddabetta Tea Factory  
Mel Kodappamund  
Gorishola Road, Ooty-643002.

.. Petitioner

-VS-

- 1.District Collector  
Udhagamandalam  
Nilgiris District  
Tamil Nadu.
- 2.Commissioner  
Udhagamandalam Municipality  
Udhagamandalam.
- 3.Superintendent of Police  
Nilgiris District  
Ooty – 643 001.
- 4.Doddabetta Panchayat  
Represented by its President  
Ooty, Nilgiris District.



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5. Benchmark Tea Factory and Chocolate Factory  
Represented by its Owner

S.N.Devaraj  
Mel Kodappamund  
Gorishola Road  
Ooty – 643002.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the first to fourth respondents to remove the illegal encroachment made by the fifth respondent on the Gorishala Public Road belonging to the second respondent.

|                     |   |                                                                                                                                         |
|---------------------|---|-----------------------------------------------------------------------------------------------------------------------------------------|
| For the Petitioner  | : | Mr.E.Manoharan                                                                                                                          |
| For the Respondents | : | Mr.K.Karthik Jegannath<br>Government Advocate (RR1 & 3)<br>Mr.P.Srinivas (R2)<br>Mr.S.V.Durai Solaimalai (R4)<br>R5-Not ready in notice |

### ORDER

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

We have heard Mr.E.Manoharan, learned counsel for the petitioner; Mr.K.Karthik Jegannath, learned Government Advocate for the first and third respondents; Mr.P.Srinivas, learned counsel for the second respondent and Mr.S.V.Durai Solaimalai, learned counsel for the fourth respondent.



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2.Learned counsel for the petitioner submits that there is an encroachment on the road. Learned Advocate for respondent no.2 /Municipality submits that respondent no.2 would take steps to remove the encroachment in accordance with law as expeditiously as possible.

3.The writ petition is disposed of. There shall be no order as to costs.

**(S.V.G., CJ.)**

**(P.D.A., J.)**

**25.08.2023**

Index : yes/no  
Neutral Citation : Yes/No  
Maya

To:

- 1.The District Collector  
Udhagamandalam  
Nilgiris District  
Tamil Nadu.
- 2.The Commissioner  
Udhagamandalam Municipality  
Udhagamandalam.
- 3.The Superintendent of Police  
Nilgiris District  
Ooty – 643 001.

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

(Maya)

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