



WEB COPY



WP.No.859 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.859 of 2023

A.Periyasamy

...Petitioner

Vs.

1.The Commissioner
Erode Corporation
Erode.

2.The District Collector
Erode District
Erode.

3.The Assistant Commissioner
Zone-4
Erode Corporation
Erode.

...Respondents

Prayer:- This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the 1st and 3rd respondents to take effective steps to fix the boundary stones to the width of 30 feet in Survey No.1355/2 in Erode-E Village and for laying Thaar Road under “Namakku Naamey Scheme.”

For Petitioner	: Mr.P.Kannan Kumar
For Respondents	: Mr.M.Rajamathivanan for R1 & R3 Mr.N.Naveen Kumar for R2 Government Advocate



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ORDER

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This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take effective steps to fix the boundary stones and laying Thaar Road under “Namakku Naamey Scheme”.

2. The petitioner is residing in Senthur Garden at Ward No.60, Zone No.4 at Erode District and he is the president of Senthur Garden, Owners and Residents Welfare Association. According to the petitioner one Achan @ Loganathan encroached 30 ft. road. Hence, the petitioner made representations dated 29.08.2022 and 15.09.2022 requesting to remove the encroachment and lay Thaar Road under “Namakku Naamey Scheme”. Though the second respondent vide letter dated 22.08.2022 gave a reply informing that Thaar Road and drainage facility will be taken up on priority basis, no action has been taken so far. Hence, the present Writ Petition.

3. It is the contention of the learned counsel for the petitioner that the the Association is ready and willing to contribute their share for



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laying the road under “Namakku Naamey Scheme”. However, the Corporation despite agreeing to lay the road has not taken any steps.

4. Mr.M.Rajamathivanan, learned Standing Counsel appearing for the respondents 1 and 3 would submit that the respondents will consider the representation of the petitioner in accordance with law.

5. Considering the submissions made on either side and the limited scope of the prayer sought for in this Writ Petition, this Court, directs the respondents 1 and 3 to consider the representation of the petitioner dated 15.09.2022 and take a decision on merits and in accordance with law within a period of one month from the date of receipt of a copy of this order.

6. With the above directions the Writ Petition is disposed of.

No costs.

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Index : Yes/No
pvs



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To

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N.SATHISH KUMAR.J.,

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