



**W.P.(MD)No.2201 of 2023**

WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 03.02.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P.(MD)No.2201 of 2023**

**and**

**W.M.P(MD)Nos.1985 & 1986 of 2023**

Natarajan

... Petitioner

Vs

- 1.The District Collector,  
Pudukkottai District,  
Pudukkottai.
- 2.The Commissioner,  
Pudukkottai Municipality,  
Pudukkottai & District.
- 3.The Revenue Divisional Officer,  
Pudukkottai District,  
Pudukkottai & District.
- 4.The Assistant Engineer,  
Public Works Department,  
Pudukkottai & District.

... Respondents



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**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the second respondent proceedings in 5959/2021/A4 dated 07.12.2022 and quash the same consequently direct the respondents 1 and 2 to consider and pass appropriate order to retain the Shop No. 7 at Kaleef Nagar, TVS Corner, Thirumayam Road, Pudukkottai or consequently direct the second respondent to allot alternative place within a time stipulated by this Court.

For Petitioner : Mr.R.Paranjothi

For Respondents : Mr.B.Saravanan  
Additional Government Pleader  
for R.1, R.3 and R.4

Mr.S.Kameswaran  
Standing Counsel for R.2

### **ORDER**

Heard the learned counsel on either side.

2.By the impugned order, the petitioner has been called upon to remove the encroachment in question. The learned Standing Counsel for Pudukkottai Municipality states that since there is a proposal to put up a roundana to avoid traffic congestion, the petitioner has been called upon



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to remove the shop in question. It is further stated that if the petitioner submits an application for allotting an alternative site, the same will be considered on merits and in accordance with law and the decision will be taken within a period of three months. The consideration of the petitioner's representation will depend upon the petitioner complying with the impugned order.

3. Granting such liberty for the writ petitioner to move the second respondent, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

**03.02.2023**

NCC : Yes / No  
Index : Yes/No  
Internet : Yes/No  
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**G.R.SWAMINATHAN, J.**

MGA

To

- 1.The District Collector,  
Pudukkottai District,  
Pudukkottai.
- 2.The Commissioner,  
Pudukkottai Municipality,  
Pudukkottai & District.
- 3.The Revenue Divisional Officer,  
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