



W.P.(MD)No.2167 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.2167 of 2023

and

W.M.P(MD)No.1942 of 2023

J.Stalin Masco

... 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 Mandamus, directing the respondents 1 and 2 to pass appropriate order to retain the petitioner's Shop No.3 at Kaleef Nagar, TVS Corner, Thirumayam Road, Pudukkottai Town or allot the alternative place to the petitioner for running the shop within stipulated time by considering the petitioner's representation dated 23.01.2023.

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 to remove the shop in question. It is further stated that if the petitioner



W.P.(MD)No.2167 of 2023

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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 petition is closed.

03.02.2023

NCC : Yes / No
Index : Yes/No
Internet : Yes/No
MGA



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G.R.SWAMINATHAN, J.

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