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W.P.(MD) No.2253 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2023

CORAM:

**THE HON'BLE MR.T.RAJA, THE ACTING CHIEF JUSTICE
and
THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR**

W.P(MD)No.2253 of 2023

Pon Mayakrishnan

... Petitioner

-VS-

1.The Commissioner,
Trichy Corporation,
Trichy.

2.The Revenue Divisional Officer,
Trichy.

3.The Tahsildar,
East Taluk,
Trichy District.

4.Singarayar

5.Amirtham

6.M.Chinnappan

7.S.Abraham

8.Sakthikumar

9.S.Augustin

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1



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to 3 herein to remove the un-authorised constructions put up by the respondents 4 to 9 herein in public pathway called Adaikalamathakovil Theru, in T.S.No.47, situated at Block No.7, Ward S.Ariyamangalam Division, Trichy District within the time stipulated by this Court by considering the petitioner's representation dated 28.09.2022.

For Petitioner : Mr.B.Jameel Arasu
For R1 : Mr.R.Baskaran
Standing Counsel
For R2 & R3 : Mr.P.T.Thiraviyam
Additional Government Pleader

ORDER

**[Order of the Court was made by
The Hon'ble The ACTING CHIEF JUSTICE]**

Mr.Pon Mayakrishnan, S/o.Chandrarajan, Door No. 10-3-24, Pillaiyar Kovil Street, Ariyamangalam, Trichy, has filed this Writ Petition for issuance of a Writ of Mandamus, directing the respondents 1 to 3 herein to remove the unauthorised constructions put up by the respondents 4 to 9 herein in public pathway called Adaikalamathakovil Theru, in T.S.No.47, situated at Block No.7, Ward S.Ariyamangalam Division, Trichy District within a time frame by considering the petitioner's representation dated 28.09.2022.



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2. Heard the learned counsel on either side and perused the materials available on record.

3. Learned Standing Counsel appearing for the first respondent/The Commissioner, Trichy Corporation, Trichy, on instructions submitted that the first respondent will conduct a survey in the place in question within two weeks time in the presence of all the parties concerned and will remove the encroachment if any by due process of law.

4. Recording the above submissions, the first respondent is directed to conduct a survey in the place in question in the presence of the private respondents and all other parties concerned after putting them on notice. If the survey reveals any encroachment in the place in question, then the same shall be removed after affording opportunity to all the parties concerned and by following due process of law. Such an exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.



W.P.(MD) No.2253 of 2021



5. With the above direction, this writ petition stands disposed of. No costs.

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[T.R., A.C.J.] [D.K.K., J.]
03.02.2023

NCC : Yes / No
Index : Yes / No
Internet: Yes
bala/am

To

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Trichy Corporation,
Trichy.
- 2.The Revenue Divisional Officer,
Trichy.
- 3.The Tahsildar,
East Taluk,
Trichy District.



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T.RAJA, A.C.J.
and
D.KRISHNAKUMAR, J.

bala/am

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