



W.P(MD)No.3155 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2023

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P(MD)No.3155 of 2023

Thirunavukarasu

... Petitioner

VS.

1.The District Collector,
Madurai District.

2.The Commissioner,
Melur Municipality,
Madurai District.

3.The Tahsildar,
Melur Taluk,
Madurai District.

4.A.Duraipandi

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to remove the encroachments made by the fourth respondent in T.S.No.15 in Ward D, Block 10 of Melur Town, Madurai District by considering the representation of the petitioner dated 09.09.2022.



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For Petitioner

: Mrs.S.Ragaventhre
for Mr.K.Jeyamohan

For RR 1 to 3

: Mr.M.Sarangan
Additional Government Pleader

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

Mr.M.Sarangan, learned Additional Government Pleader takes notice on behalf of the respondents 1 and 3 and also takes notice on behalf of the second respondent/Corporation.

2. The prayer in this Writ Petition is seeking for issuance of a Writ of Mandamus, directing the respondents to remove the encroachments made by the fourth respondent in T.S.No.15 in Ward D, Block 10 of Melur Town, Madurai District by considering the representation of the petitioner dated 09.09.2022.

3. According to the petitioner, he made a representation, dated 09.09.2022 to the respondents 1 to 3 seeking for removal of the encroachment made by the fourth respondent. Since the same has not been considered, the petitioner has filed the present Writ Petition.



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4. Mr.M.Sarangan, learned Additional Government Pleader, appearing for the respondents 1 to 3, on instructions, submitted that the representation of the petitioner, dated 09.09.2022 would be considered and appropriate action will be taken in accordance with law.

5. In view of the abovesaid submission, without going into the merits of the claim made by the petitioner, the second respondent is directed to consider the representation of the petitioner, dated 09.09.2022 and pass appropriate orders, on merits and in accordance with law. If there is any encroachment as claimed by the petitioner, after issuing notice to all other parties, the second respondent shall take necessary action for removal of the encroachment, after affording sufficient opportunity of personal hearing to all the parties concerned including the fourth respondent and by following due process of law, within a period of twelve weeks from the date of receipt of a copy of this order. It is needless to say that the copy of the representation to be enclosed along with the order copy addressed to the second respondent.



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6. With the above direction, this Writ Petition is disposed of. No costs.

[D.K.K.,J.] [L.V.G.,J.]
16.02.2023

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

ps

To

- 1.The District Collector,
Madurai District.
- 2.The Commissioner,
Melur Municipality,
Madurai District.
- 3.The Tahsildar,
Melur Taluk,
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D.KRISHNAKUMAR,J.

and

L.VICTORIA GOWRI,J.

ps

ORDER MADE IN
W.P(MD)No.3155 of 2023

DATED : 16.02.2023