



W.P(MD).No. 21422 of 2014

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2023

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.21422 of 2014

and

M.P(MD) No.1 of 2014

Dr.S.Parthiban

..... Petitioner

- Vs-

1. The District Collector,
Dindigul District,
Dindigul.
2. The Commissioner,
Dindigul Corporation,
Dindigul.
3. The Superintendent of Police,
Dindigul District, Dindigul.
4. The Inspector of Police,
Town North Police Station,
Dindigul Town,
Dindigul District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to remove the encroachments made on road in Plot No.1, in



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T.S.No.1954/1B and Plot No.2 in T.S.No.1958/B1, Dindigul Town, Dindigul District and maintain as 60 feet road.

For Petitioner : Mr.G.Gomathi Sankar

For Respondents : Mr.M.Prakash
Additional Government Pleader
For -R1
: Mr.J.Lawrance – For R-2

: Mr.R.M.S.Sethuraman
Additional Public Prosecutor
For R3 and R4

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus to direct the respondents to remove the encroachments made on road in Plot No.1, in T.S.No.1954/1B and Plot No.2 in T.S.No.1958/B1, Dindigul Town, Dindigul District and maintain as 60 feet road.

2. Heard Mr.G.Gomathi Sankar, learned counsel appearing for the petitioner, Mr.M.Prakash, learned Additional Government Pleader appearing for the first respondent, Mr.J.Lawrance, learned counsel appearing for the second respondent and Mr.R.M.S.Sethuraman, learned Additional Public Prosecutor appearing for the respondents 3 and 4.



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3. The learned counsel for the petitioner would submit that the petitioner had made a representation, dated 24.12.2014 to the second respondent intimating him that encroachments have been made on the public path.

4. The learned counsel appearing for the second respondent would submit that it is the Scheme road that has not been handed over to the second respondent.

5. Considering the prayer sought for in the writ petition and also considering the fact that the representation has been made in the year 2014, the petitioner shall make a fresh representation to the second respondent within a period of two weeks from the date of receipt of a copy of this order. The second respondent shall consider the representation of the petitioner and take appropriate action, if any required, after issuing notice to all the parties concerned and pass appropriate orders within a period of twelve (12) weeks thereafter.



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6. With the above said directions, this Writ Petition is disposed of.

There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

02.02.2023

NCC: Yes / No

Index : Yes / No

Internet : Yes / No

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To

1. The District Collector,
Dindigul District,
Dindigul.
2. The Commissioner,
Dindigul Corporation,
Dindigul.
3. The Superintendent of Police,
Dindigul District,
Dindigul.
4. The Inspector of Police,
Town North Police Station,
Dindigul Town,
Dindigul District.



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K.KUMARESH BABU, J.

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Order made in
W.P(MD)No.21422 of 2014

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