



WEB COPY



W.P.No.4823 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2024

CORAM :

THE HON'BLE MR. JUSTICE R.MAHADEVAN

AND

THE HON'BLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.No.4823 of 2024

S.PARVATHY

.. Petitioner

Vs

1. THE DISTRICT COLLECTOR
NAMAKKAL, NAMAKKAL DISTRICT.

2. THE TAHSILDAR
NAMAKKAL, NAMAKKAL DISTRICT.

3. THE COMMISSIONER
NAMAKKAL MUNICIPALITY,
NAMAKKAL, NAMAKKAL DISTRICT.

4. MANI@MANOHARAN

5. M.PADMINI

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents, particularly the 3rd respondent, to remove the encroachment made by 4th and 5th respondents in the public lane situated in Survey No.397/15 at Mudalaipatti Pudur Village, Namakkal Taluk and District in the light of proceedings dated 14.11.2023.



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For the Petitioner : Mr.T.Sellapandian

For the Respondents : Mr.C.Kathiravan
Special Government Pleader
for respondents 1 and 2

: Mr.Raja Mathivanan
for 3rd respondent

ORDER

(Order of the court was made by R.MAHADEVAN,J.)

The petitioner has filed this writ petition seeking issuance of a writ of mandamus directing the respondent authorities, particularly the 3rd respondent, to remove the encroachment made by respondents 4 and 5 in the public lane situated in Survey No.397/15 at Mudalaipatti Pudur Village, Namakkal Taluk and District in the light of proceedings dated 14.11.2023.

2. Learned counsel for the petitioner submits that despite issuance of a notice dated 14.11.2023 under Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998 directing the fourth respondent to remove the encroachment within a period of seven



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days, the respondent authorities have not taken any steps to remove the encroachment and, even as on date, the encroachment subsists.

3. Considering the fact that a notice has already been issued to the fourth respondent way back on 14.11.2023 and till date no further steps have been taken to remove the encroachment, the writ petition is disposed of with a direction to the third respondent to remove the encroachment, if any, within three weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

Post the matter for reporting compliance after four weeks.

(R.M.D., J.)

(M.S.Q., J.)

27.02.2024

Index : No
Neutral Citation : No
sasi



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To

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R.MAHADEVAN,J.
AND
MOHAMMED SHAFFIQ,J.
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