



W.P.(MD) No.7257 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.7257 of 2024

and

W.M.P.(MD)No.6690 of 2024

K.Balasubramaniyan

... Petitioner

-Vs-

1.The District Collector / Chairperson,
(District Monitoring Committee),
Tirunelveli District, Tirunelveli.

2.The Commissioner,
Tirunelveli Corporation,
Tirunelveli District.

3.The Assistant Commissioner,
Tirunelveli, Tirunelveli District.

4.The Tahsildar,
Tirunelveli District.

5.Vengadakrishnan

6.Deepa

... Respondents



W.P.(MD) No.7257 of 2024

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to take necessary action to remove the encroachment made in Survey No.997 of Ward No.W, Block No.6 of Tirunelveli Town, Tirunelveli District by the respondents 5 and 6.

For Petitioner : Mr.R.Balamuruganantham
For R1 & R4 : Mr.P.Thilakkumar,
Government Pleader
For R2 & R3 : Mr.S.P.Maharajan,
Standing Counsel

ORDER

[Order of the Court was made by *D.KRISHNAKUMAR, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.Mr.P.Thilakkumar, learned Government Pleader takes notice for the respondents 1 and 4 and Mr.S.P.Maharajan, learned Standing Counsel takes notice for the respondents 2 and 3. Considering the nature of order going to be passed in this Writ Petition, notice to the respondents 5 and 6 is dispensed with.



W.P.(MD) No.7257 of 2024

WEB COPY

3. According to the petitioner, he made a representation dated 21.11.2023 to the respondents 1 and 2, pointing out the encroachment made by the respondents 5 and 6 in Survey No.997 of Ward No.W, Block No.6 of Tirunelveli Town, Tirunelveli District. Since the same has not been considered so far, he has filed this Writ Petition.

4. The learned Standing Counsel appearing for the respondents 2 and 3 submits that the representation of the petitioner would be considered on merits and appropriate orders would be passed within the stipulated time to be fixed by this Court.

5. Considering the limited scope of the prayer sought for by the writ petitioner, without going into the merits of the case, we are inclined to direct the respondents 2 and 3 to consider the representation of the petitioner dated 21.11.2023 and pass appropriate orders on merits and in accordance with law, after providing opportunity to all the parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order.



W.P.(MD) No.7257 of 2024

WEB COPY

6. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] & [R.V., J.]
25.03.2024

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

Yuva

To

1. The District Collector / Chairperson,
(District Monitoring Committee),
Tirunelveli District, Tirunelveli.
2. The Commissioner,
Tirunelveli Corporation,
Tirunelveli District.
3. The Assistant Commissioner,
Tirunelveli, Tirunelveli District.
4. The Tahsildar,
Tirunelveli District.



WEB COPY



W.P.(MD) No.7257 of 2024

D.KRISHNAKUMAR, J.

AND

R.VIJAYAKUMAR, J.

Yuva

W.P.(MD)No.7257 of 2024

25.03.2024