



W.P.(MD)No.10210 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

and

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.10210 of 2024

V.Arichandran

: Petitioner

Vs.

1.The District Collector,
Theni District,
Theni.

2.The Executive Officer / Chair Person,
Monitoring Committee for Eviction of Encroachment,
Aundipatti Town Panchayat,
Theni District.

3.O.Raja

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action to remove the illegal encroachment made by the third respondent situated at Aundipatti



W.P.(MD)No.10210 of 2024

Bus Stand, Aundipatti Town, Theni District, on the basis of the petitioner's representation dated 22.03.2024, within the time stipulated by this Court.

For Petitioner : Mr.M.Pounraj
For Respondents 1 & 2 : Mr.P.Thilak Kumar
Government Pleader

O R D E R

[Order of the Court was made by R.SURESH KUMAR, J.]

The prayer sought for herein is for a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action to remove the illegal encroachment made by the third respondent situated at Aundipatti Bus Stand, Aundipatti Town, Theni District, on the basis of the petitioner's representation dated 22.03.2024.

2. Heard the learned Counsel on either side.

3. In view of the order we propose to pass in this Writ Petition, notice to the third respondent is dispensed with.



W.P.(MD)No.10210 of 2024

WEB COPY

4.A representation has been given by the petitioner to the official respondents, to remove the encroachments ie., a shop that has been put up on the bus bay platform at the Aundipatti Bus Stand, which according to the petitioner is unauthorised.

5.However, learned Government Pleader appearing for the respondents 1 and 2 would submit that, it would be verified whether any license has been granted to the third respondent and whether the shop is a hindrance to the public and passengers and action would be taken on the basis of the representation of the petitioner in accordance with law, of course, after giving opportunity to the third respondent.

6.We have considered the said submission made by both the learned Counsel for the petitioner as well as the learned Government Pleader for the official respondents.

7.This Court is inclined to dispose of the present Writ Petition with the following order:

"There shall be a direction to the second respondent to consider the said



W.P.(MD)No.10210 of 2024

representation of the petitioner dated 22.03.2024 and decide the same on merits and in accordance with law, of course, after giving an opportunity of hearing to both the petitioner as well as the third respondent, within a period of four [4] weeks from the date of receipt of a copy of this order."

8.Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

[R.S.K.,J.] & [G.A.M.,J.]
26.04.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



WEB COPY



W.P.(MD)No.10210 of 2024

To

1.The District Collector,
Theni District,
Theni.

2.The Executive Officer / Chair Person,
Monitoring Committee for Eviction of Encroachment,
Aundipatti Town Panchayat,
Theni District.



WEB COPY



W.P.(MD)No.10210 of 2024

R.SURESH KUMAR, J.
and
G.ARUL MURUGAN, J.

MR

ORDER MADE IN
W.P.(MD)No.10210 of 2024

26.04.2024