



W.P.(MD) No.3485 of 2014

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.3485 of 2014

and

M.P.(MD)No.2 of 2014

1.D.Malaichamy
2.Senthamil Selvi

... Petitioners

Vs.

1.The Commissioner,
Madurai Corporation,
Madurai – 625 002.

2.Ravi

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to take action against the unauthorised construction of the 2nd respondent in the public pathway i.e., in the Valavandan Nadar Street, P.T.Rajan Road, Goripalayam, Madurai-2.



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For Petitioners : Mr.V.Nagendran

For Respondents : Mrs.S.Devasena for R1
No Appearance for R2

ORDER

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

This Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the 1st respondent to take action against the unauthorised construction of the 2nd Respondent in the public pathway i.e., in the Valavandan Nadar Street, P.T.Rajan Road, Goripalayam, Madurai-2.

2. When the matter was taken up for hearing, the learned counsel appearing for the 1st respondent Corporation submitted that the respondent Corporation will conduct a survey in the property in question and if there is any unauthorised construction, appropriate action will be taken for removal of unauthorised construction by following the due process of law.



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3. In the light of the above submissions, we direct the first respondent to inspect the property in question with the presence of the petitioners and if there is any encroachment, the first respondent shall take necessary action for removal of encroachment by following due process of law, after issuing notice to the petitioners as well as the parties concerned. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] [M.S.K., J.]
08.01.2024

Neutral Citation: Yes / No
Index : Yes / No
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To

The Commissioner,
Madurai Corporation,
Madurai – 625 002.

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