



W.P(MD)No.1961 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

W.P(MD)No.1961 of 2016

S.Vivekanandan

... Petitioner

VS.

1.The Director,
Town and Country Planning Department,
Anna Salai,
Chennai – 2.

2.The Director/Member Secretary,
Trichirappalli Local Planning Commission,
No.10, Willams Road,
Cantonment,
Trichy.

3.The Commissioner,
Trichirappalli Corporation,
Trichirappalli City.

4.R.Kanchana

5.O.Annapoorani

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 2 & 3 to remove the encroachments made by the respondents 4 & 5 in plots C-25

1/5



W.P(MD)No.1961 of 2016

and C-29 of 11th Cross, Thillai Nagar, Trichy-18 and other encroachments in the above street pursuant to the representation dated 19.01.2016 of the petitioner herein and consequently directing the respondents to make use of the same to General public.

For Petitioner	: Mr.V.Illanchezian
For RR 1 & 2	: Mr.N.GA.Nataraj Government Advocate
For R – 3	: Mr.R.Baskaran Senior Counsel

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

The petitioner has filed the present Writ Petition for issuance of a Writ of Mandamus, directing the respondents 2 & 3 to remove the encroachments made by the respondents 4 & 5 in plots C-25 and C-29 of 11th Cross, Thillai Nagar, Trichy-18 and other encroachments in the above street pursuant to the representation dated 19.01.2016 of the petitioner herein and consequently directing the respondents to make use of the same to General public.



W.P(MD)No.1961 of 2016

WEB COPY

2.The grievance of the petitioner is that the private respondents 4 and 5 have illegally encroached upon the public property. For removal of the said encroachment, the petitioner made a representation dated 19.01.2016 and the same has not been considered. Hence, the present Writ Petition has been filed.

3.This Writ Petition is of the year 2016. However, no counter-affidavit has been filed by the respondents so far.

4.Considering the limited scope of relief sought for by the petitioner, the third respondent is directed to consider the representation of the petitioner, dated 19.01.2016 and pass appropriate orders on merits and in accordance with law, after providing due opportunity to the parties concerned. Such an exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.



W.P(MD)No.1961 of 2016

WEB COPY

5. With the above direction, this Writ Petition is disposed of. No costs.

[D.K.K.,J.] [M.D.I.,J.]
11.01.2024

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

To

1. The Director,
Town and Country Planning Department,
Anna Salai,
Chennai – 2.
2. The Director/Member Secretary,
Trichirappalli Local Planning Commission,
No.10, Willams Road,
Cantonment,
Trichy.
3. The Commissioner,
Trichirappalli Corporation,
Trichirappalli.



WEB COPY



W.P(MD)No.1961 of 2016

D. KRISHNAKUMAR,J.
and
M.DHANDAPANI,J.

ps

ORDER MADE IN
W.P(MD)No.1961 of 2016

DATED : 11.01.2024