



WEB COPY

W.P.No.15210 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2025

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

WP No. 15210 of 2025

1. R.Karunamoorthy

S/o.Late Rama Gounder, D.No.5-f-5-31,
Rajaji Nagar, Mathayyan Kottai (post),
Mettur Dam, Salem District.

2.P.Ganesa Raja

S/o.Mr.A.Panneerselvam, D.No.5/151/1,
Dr.Subbarayan Nagar, Mettur Dam, Salem
District.

3.R.Susila

W/o.Mr.Rathinasamy, Mathayyan Kottai
(post), Mettur Dam, Salem District.

4.K.Chandrasekaran

S/o.Mr.S.Karuppanna Gounder, No. 34/a8,
Thookkanam Patti, Mettur Dam, Salem
District.

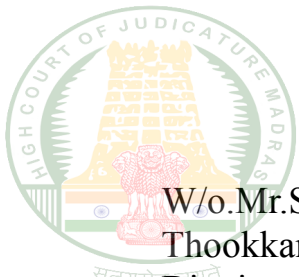
5.R.Kalaselvi

D/o.Mr.R.Chidambaram, No.46a, Inidira
Nagr, Mettur Dam, Salem District.

6.M.Kumar

S/o.Mr.Meyyappa Gounder, D.No.Q16/3,
A4 Area, Mettur, Thirumal Nagar, Mettur
Dam, Salem District.

7.S.Rathidevi



W/o.Mr.Shanmugam, No.200-2e,
Thookkanam Patti, Mettur Dam, Salem
District.

8.P.Bhuvaneswari
W/o.Mr.Prabakaran, D.No.65/94h, East
Street, Mettur Dam, Salem District.

Petitioner(s)

Vs

1. The District Collector
Salem District, Salem 636001.

2.The Commissioner
Mettur Municipality, Mettur Salem
District 636401.

Respondent(s)

PRAYER Writ petition filed under Article 226 of Constitution of India to issue writ of mandamus, directing the 2nd respondent to remove the unauthorised construction made in 50 feet Government Road, located in Ward B, Block 16 in Town Survey No.1 within the Mettur Municipality limits, as per the drawing dated 04.06.2015 issued by the Mettur Municipality, under the RTI Act reply.

For Petitioner(s): Mr.N.Palanikumar

For Respondent(s): Mr. M.Venkateswaran,
Spl.Govt.Pleader For R1

Mr.L.P.Maurya For R2.



ORDER

(Order of the Court was made by J.Nisha Banu J.)

WEB COPY

This writ petition has been filed to direct the 2nd respondent to remove the unauthorised construction made in 50 feet Government Road, located in Ward B, Block 16 in Town Survey No.1 within the Mettur Municipality limits, as per the drawing dated 04.06.2015 issued by the Mettur Municipality, under the RTI Act reply.

2. It is averred in the writ petition that 50 feet width road located in the above said area was encroached by some of the people and they made construction for about 40 feet and raised permanent structures. It is also stated that the above said structures cause inconvenience to the petitioners and other public and also it cause hardship to them in respect of utilizing the road for transportation of materials. Hence, the petitioner has given representation dated 28.10.2024 to the 2nd respondent, but, it was not considered. However, under RTI reply, the petitioner was informed that the exact encroachments were measured and a detailed map dated 04.06.2015 was drawn mentioning the extent of encroachment in the public road and it was signed by the Town Planning Inspector, after conducting survey and measurements.

3. According to the petitioner, even though the extent of encroachments



were measured as early as on 04.06.2015, till date, no enforcement action has been taken by the respondents. Hence the writ petition.

WEB COPY

4. Mr. M.Venkateswaran, learned Special Government Pleader takes notice for the first respondent and Mr.L.P.Maurya, learned counsel takes notice for the 2nd respondent.

5. Considering the limited scope of prayer, without expressing any opinion on merits, we are inclined to dispose of the writ petition by directing the 2nd respondent to consider the representation of the petitioner dated 28.04.2024 and to take enforcement action, after affording opportunity of personal hearing to the petitioner as well as the other interested parties in accordance with law, within a period of eight weeks from the date of receipt of copy of the order.

6. With the above directions, this writ petition stands allowed. There shall be no order as to costs.

(J.NISHA BANU J.)

(M.JOTHIRAMAN J.)

74-07-2025

(1/2)

mst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To



W.P.No.15210 of 2



1.The District Collector
Salem District, Salem 636001.

2.The Commissioner
Mettur Municipality, Mettur Salem
District 636401.



WEB COPY

W.P.No.15210 of 2



J.NISHA BANU, J.
AND
M.JOHIRAMAN, J.

MST

W.P.NO.15210 OF 2025

07.07.2025
(1/2)