



W.P.(MD) No.4435 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.02.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.4435 of 2025

Abudhahir

... Petitioner

-Vs-

1.The Commissioner,
Trichy Municipal Corporation,
Trichy.

2.The Assistant Commissioner,
Trichy Corporation Division No.2,
Trichy Municipal Corporation,
Trichy.

3.Kesavan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to take immediate action to remove the unauthorized construction made by the 3rd respondent by encroaching the public road – Veedhi comprised in S.No.105 situated at Block No.3, Ward O, Division No.2 Varaganeri, Trichy Corporation, Trichy based on the petitioner's representation dated 30.01.2025 within the time stipulated by this Court.



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For Petitioner : Mr.B.Jameel Arasu
For R1 & R2 : Mr.Kishore Ram,
for M/s.R.B.Law Associates

ORDER

[Order of the Court was made by *J.NISHA BANU, J.*]

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

2.It is the grievance of the petitioner that his representation dated 30.01.2025, seeking removal of the unauthorized construction made by the 3rd respondent by encroaching the public road – veedhi comprised in S.No.105 situated at Block No.3, Ward O, Division No.2 Varaganeri, Trichy Corporation, Trichy, is kept pending till date without any progress. Therefore, he has filed this Writ Petition, seeking for a direction to the respondents 1 and 2 to take immediate action to remove the unauthorized construction made by the 3rd respondent.

3.Mr.Kishore Ram, learned counsel, who takes notice on behalf of the respondents 1 and 2, submits that the representation of the petitioner would be considered and appropriate orders would be passed on its own merits within a period that may be stipulated by this Court.



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4. Notice to the 3rd respondent is hereby dispensed with, since no adverse order is going to be passed as against him.

5. Considering the limited scope of the prayer sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner either in the representation or in the affidavit filed in support of this Writ Petition, we direct the respondents 1 and 2 to consider the representation of the petitioner dated 30.01.2025, after giving sufficient opportunity of hearing to all the parties concerned and pass appropriate orders on merits and in accordance with law within a period of eight [8] weeks from the date of receipt of a copy of this order.

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

[J.N.B., J.] & [S.S.Y., J.]
19.02.2025

NCC : Yes / No
Index : Yes / No

Yuva



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J.NISHA BANU, J.

AND

S.SRIMATHY, J.

Yuva

To

- 1.The Commissioner,
Trichy Municipal Corporation,
Trichy.
- 2.The Assistant Commissioner,
Trichy Corporation Division No.2,
Trichy Municipal Corporation,
Trichy.

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