



W.P.(MD)No.21497 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.06.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

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Pandiyarajan

... Petitioner

Vs.

1.The Commissioner of Corporation /
Monitoring Committee,
Office of the Madurai Corporation Office,
Madurai District.

2.The Assistant Commissioner of Corporation,
Mandalam-3,
Office of the Madurai Corporation Office,
Madurai District.

3.Manoharan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed in Na.Ka.No.M3/D1/007185/2023 dated 13.01.2024 by respondent No.2 and quash the same and consequently directing the respondent No.2 to



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remove the encroachment done by respondent No.3 before petitioner's land by considering petitioner's representation dated 06.02.2024.

For Petitioner : Mr.A.Naresh Prabhu

For Respondents : Mr.K.K.Kannan,
Standing Counsel for R1 & R2.
Ms.K.M.Priscilla Jancy for R3

ORDER

(Order of the Court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.The writ petitioner is a resident of Pottalkalam Village. According to him, in Ponmeni Main Road, there are encroachments committed by the third respondent. He wants the corporation authorities to remove the same.

3.The response of the corporation was that since civil suits have been filed in this regard, no action can be taken for the present and that action will be taken based on the outcome of the civil suits.



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4. When the matter was taken up for hearing, the learned counsel for the petitioner submitted that both the suits have been dismissed for default.

5. The respondent / authorities will grant eight weeks time to the third respondent to obtain any interim order, if the suits are restored. If the third respondent is unable to obtain an interim order from the jurisdictional Civil Court, the corporation is obliged to act as per law. If any road or street has been encroached, it has to be necessarily removed by following due process of law. This exercise shall be completed within a period of three months after the expiry of the aforesaid breathing period.

6. This writ petition is disposed of accordingly. No costs.

(G.R.S. J.) & (R.P. J.)
01.06.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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and
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