

In the High Court of Judicature at Madras

Dated: 20.01.2015

Coram:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice M.M. SUNDRESH

Writ Petition No. 30000 of 2014

P. Selvarajan

.. Petitioner

vs.

1. The Divisional Engineer
Construction and Maintenance
State Highways Division
Salem - 636 007.

2. The Assistant Divisional Engineer
Construction and Maintenance
State Highways Division
Attur - 636 102, Salem District.

3. The Tahsildar
Attur Taluk
Attur, Salem District.

4. The Deputy Superintendent of Police
Attur, Salem District.

5. The Commissioner
Attur Municipality
Attur.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to remove the encroachments made on the Salem Ulundurpet Highways Road S.U.55 between Km.50.350 to Km.52.000 at Attur based upon the representation of the petitioner dated 20.03.2014, 23.08.2014 and 11.09.2014.

For Petitioner
For Respondents

: Mr. S. Doraisamy
: Mr. S.T.S. Murthi
Government Pleader.

O R D E R

(Made by The Hon'ble The Chief Justice)

The petitioner is concerned about the encroachment on the Salem-Ulundurpet State Highways Road - S.U.55 between Km.50.350 to Km.52.000 at Attur.

2. The affidavits filed by the respondents including the second respondent show that there are no permanent encroachments, but, temporary shops are opened, from which vending takes place, but, as and when detected, the second respondent removes the same.

3. We fail to appreciate as to how there can be vending on Highways - a matter of concern even for safety of the traffic on the Highways. The authorities including the police, thus, are required to ensure that the State Highways are clear from any encroachment, whether temporary or permanent. It is in fact unbelievable that such activity can go on right under the nose of the authorities other than by way of negligence or collusion.

4. We direct the respondent authorities to ensure that there is no permanent or temporary encroachment on the State Highways.

5. The writ petition accordingly stands disposed of. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

ATR

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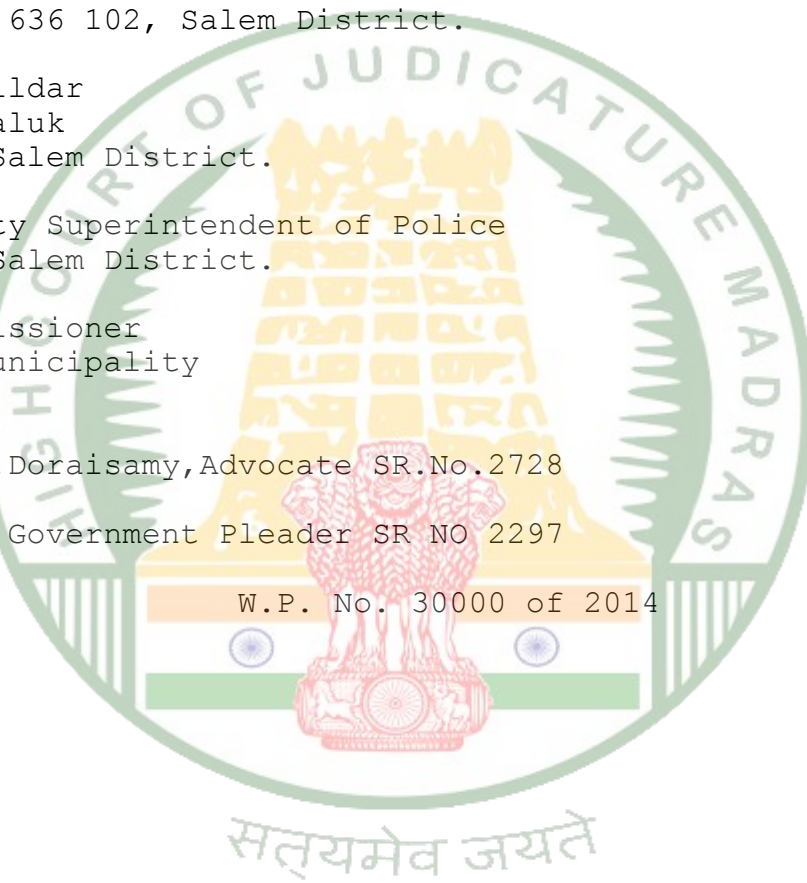
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+1cc to M/s.Doraisamy, Advocate SR.No.2728

1 CC to the Government Pleader SR NO 2297

W.P. No. 30000 of 2014

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