

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.5576 of 2015

P.Selvarajan

.. Petitioner

-vs-

1.The Chief General Manager (Tech)
& Regional Officer,
Chennai Region, National Highways
Authority of India, No.1/54-28,
Butt Road, St. Thomas Mount, Chennai.

2.The General Manager (Tech) & Project
Director, National Highways Authority
of India, No.212-3/D3-1, Srinagar Colony,
Narasothipatti, Salem.

3.SU Toll Road Private Limited,
3rd Floor, Reliance Energy Centre (East),
Santacruz (East), Mumbai.

4.The District Collector,
Salem District, Salem.

.. Respondents

Petition under Article 226 of the Constitution of India
praying for issue of Writ of Mandamus to direct the respondents to
remove the encroachment made on the National Highways Road NH 68
starting from Udayampatti at Km 46/000 to Thulukkanur at Km 53/500 to
the length of 7.5 km (two lane) and keep the roads as per the records
available with the respondents.

For Petitioner : Mr.S.Doraisamy

For Respondents : M/s.G.Hema

For M/s.P.Wilson Associates/RR1 & 2

: Mr.V.R.Kamalanathan,
Addl. Govt. Pleader for R-4

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The allegation in the Public Interest Litigation is that the National Highway, NH68, starting from Udayampatti at Km 46/000 to Thulukkanur at Km 53/500 of a length of 7.5 km is a two lane road. The land adjoining was required for widening of the road for formation of these two lanes. However, the sides of the Highway are alleged to have been encroached, reducing the width of the Highway and thereby obstructing the free flow of traffic. It is alleged that encroachments are to the extent of reducing the width of the road by 10 to 20 metres.

2.The petitioner has made a representation dated 16.06.2014 followed by a reminder dated 16.10.2014. Learned counsel submits that it is the first two respondents who have to take action.

3.In view of the aforesaid, we consider it appropriate to direct the first two respondents to consider the representation of the petitioner and if any encroachments are found on the Highway, take action in accordance with law, with notice to all concerned. The needful be done within one month of receipt of this order.

4.Writ Petition, accordingly, stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sra
To

- 1.The Chief General Manager (Tech)
& Regional Officer,
Chennai Region, National Highways
Authority of India, No.1/54-28,
Butt Road, St. Thomas Mount, Chennai.
- 2.The General Manager (Tech) & Project
Director, National Highways Authority
of India, No.212-3/D3-1, Srinagar Colony,
Narasothipatti, Salem
- 3.The District Collector,
Salem District, Salem.

+ 1 cc to M/s. P. Wilson, Advocate SR.11955

+ 1 cc Government Pleader Sr.11656

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RK(CO)
EU 12.03.2015