



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.17554 of 2015

S.Yesu Raja

...Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil 629 001.

2.The Divisional Engineer (National Highway),
Construction & Maintenance,
Nagercoil, Kanyakumari District.

3.The Assistant Divisional Engineer, (National
Highway), Construction & Maintenance,
Thuckalay, Kanyakumari District.

4.The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 3rd respondent herein to consider and take suitable action based on the petitioners representation dated 03.06.2015 so as to remove the encroachments in Swamiyarmadam-Meacode, Meacode-Kulasekaram and Thuckalay-Thadikarankonam roads within a reasonable time as may be specified by this Hon'ble Court.

For Petitioner : Mr.E.V.N.Siva

For Respondents : Mr.A.K.Baskarapandian,
Special Government Pleader.

ORDER

(Order of the Court was made by R.SUDHAKAR,J.)

The prayer in the writ petition is to direct the third respondent to take suitable action based on the petitioners representation dated 03.06.2015 so as to remove the encroachments in Swamiyarmadam-Meacode, Meacode Kulasekaram and Thuckalay-Thadikarankonam roads.

2.It is seen that the Assistant Divisional Engineer (National Highway) Construction and Maintenance, the third respondent herein, considering the request of the petitioner directed the Tahsildar to survey the land and fix boundary lines and thereafter, the Tahsildar has



3. In view of the above, the writ petition is disposed of directing the Tahsildar, Kalkulam Taluk, the fourth respondent herein to survey the land in question in terms of the direction given by the Assistant Divisional Engineer (National Highway) Construction and Maintenance, the third respondent herein. However, if any third party will be affected by the nature of the relief sought for by the petitioner or by any order to be passed, the authority shall hear such person to avoid the allegations of violation of principles of natural justice. No costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District,
Nagercoil 629 001.

2. The Divisional Engineer (National Highway),
Construction & Maintenance,
Nagercoil, Kanyakumari District.

3. The Assistant Divisional Engineer, (National Highway), Construction & Maintenance,
Thuckalay, Kanyakumari District.

4. The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.

+1CC to the Special Government Pleader, in SR.No.57503

Writ Petition (MD) No.17554 of 2015
29.09.2015

sms

PBK/AMF 13/10/2015 ::2P-6C::