



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.18324 of 2015

D.Francis

... Petitioner

Vs.

1.The Deputy General Manager (T) &
Project Director,
National Highways Authority of India,
Project Implementation Unit,
Nagercoil, Nagercoil No.314E, K.P.Road,
Near Ayyappan Koil, Parvathipuram,
Nagercoil 629 003.

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

3.The Assistant Divisional Engineer,
Highways Construction and Maintenance,
Kuzhithurai Sub Division,
Kuzhithurai Post,
Kanyakumari District 629 163

4.The Commissioner,
Kuzhithurai Municipality,
Marthandam Post,
Kanyakumari District 629 165.

5.Al Ameen

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the Respondents 1 to 4 proceed in accordance with law against the Fifth Respondent and stop the illegal construction by the Fifth Respondent.

For Petitioner

: Mr.M.P.Hariprasad

For Respondents 1-3

:Mr.B.Pugalendhi

Special Government Pleader.

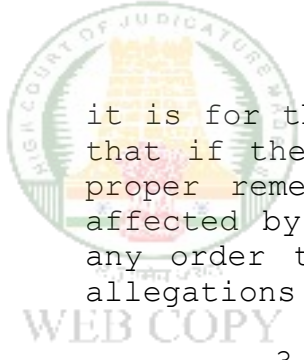
ORDER

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

The present writ petition has been filed based on the allegation of illegal construction by the fifth respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

2.We do not express any opinion on the said allegation. However,



it is for the authorities to look into the nature of complaint and ensure that if there is any illegal construction as alleged by the petitioner, proper remedial measures should be taken. 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 allegations of violation of principles of natural justice.

3.The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar (AS)

/TURE COPY/

Sub Assistant Registrar

sms

To

1.The Deputy General Manager (T) &
Project Director,
National Highways Authority of India,
Project Implementation Unit,
Nagercoil, Nagercoil No.314E, K.P.Road,
Near Ayyappan Koil, Parvathipuram,
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Kanyakumari District 629 165.

+1 cc to MR.M.P.HARIPRASAD, ADVOCATE, SR NO: 60225

+1 CC to M/S.SPL.GOV.T.PLEADER, SR NO: 60153

JAM /20.10.2015/AAL-MPA/2P-7C