

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATE: 21.04.2016
CORAM
THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
W.P.No.14568 of 2016

Packia Bama

.. Petitioner

Vs.

The Divisional Engineer (Highways),
C.M.D.A. Plan, Division IV,
Highways Department,
Alandur, Chennai - 600 016.

.. Respondent

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India seeking for a writ of mandamus directing the respondent to consider the representation of the petitioner dated 07.03.2016 and re-survey the land comprised in Survey No.384/11 to the extent of 108.15 sq.mts.

For Petitioner : Mr.A.S.Mujibur Rahman

For Respondent : Mr.M.L.Mahendran,
Government Advocate

O R D E R

Heard Mr.A.S.Mujibur Rahman, learned counsel appearing for the petitioner and Mr.M.L.Mahendran, learned Government Advocate, accepting notice on behalf of respondent. By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2.The petitioner has filed this writ petition for issuance of a writ of mandamus to direct the respondent to consider the petitioner's representation dated 07.03.2016. By the said representation, the petitioner has raised certain objections with regard to the proposal to evict the petitioner from the land in question, which has emanated pursuant to the notice dated 15.02.2016 issued under Section 28(2)(ii) of the Tamil Nadu Highways Act, 2001. Though the said notice does not specifically provide for any opportunity to the petitioner to raise an objection, nevertheless, if the petitioner has got certain grievances, she is entitled to express the same and therefore, before evicting the petitioner, the respondent shall consider the petitioner's representation dated 07.03.2016 and proceed in accordance with law. The above direction shall be complied within a period of two weeks from the date of receipt of a copy of this order.

3.The Writ Petition is disposed of accordingly. No costs.
va

-s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

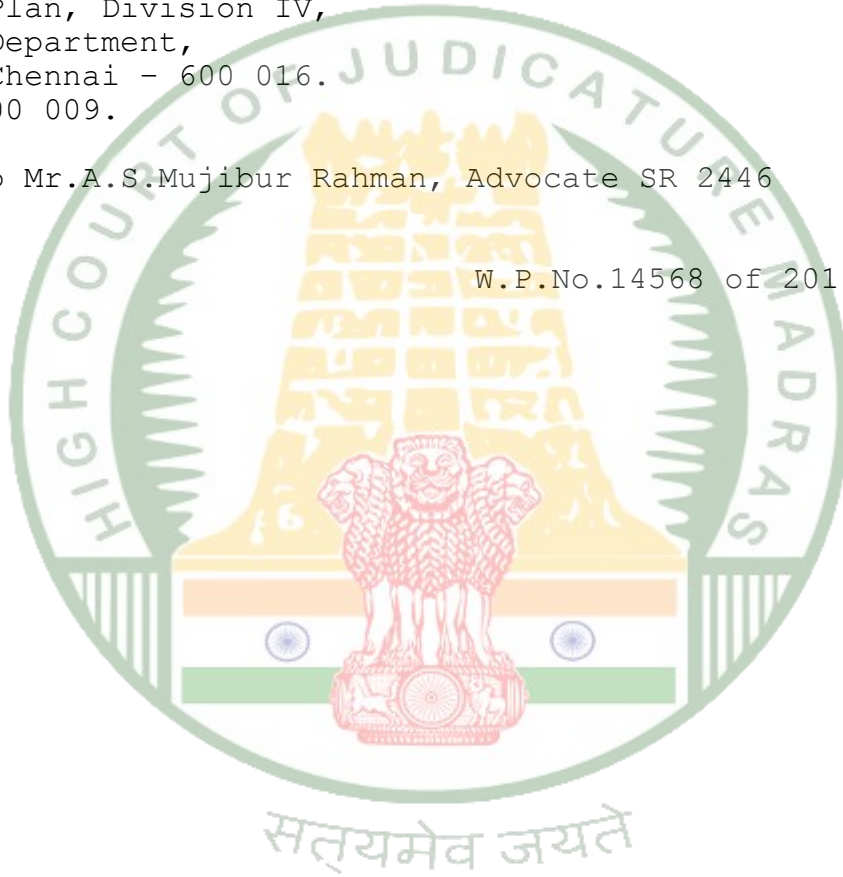
To

The Divisional Engineer (Highways),
C.M.D.A. Plan, Division IV,
Highways Department,
Alandur, Chennai - 600 016.
Chennai-600 009.

+ 1 cc to Mr.A.S.Mujibur Rahman, Advocate SR 2446

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