

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P. No.16610 of 2016

S.Kaviselvam ... Petitioner

-vs-

1.The District Collector,
Thiruvarur.

2.The Tahsildar,
Mannarkudi, Thiruvarur District.

3.The Assistant Executive Engineer,
Highways Department,
Mannarkudi, Thiruvarur District.

4.The Assistant Zonal Engineer,
Highways Department,
Mannarkudi, Thiruvarur District.

5.Gunasekaran .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 1 to 4 to remove the encroachment made by 5th respondent on the right side of Athiraampattinam Road of 48/8 K.M. (Paravaakottail Village) Kumbakonam via Athirampattinam Highways, Thiruvarur District.

For Petitioner : Mr.S.Vinoth Kumar

For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.R.Kamalanathan,
Addl.G.P. for RR 1 to 4

O R D E R

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

The allegation of the petitioner is that respondent no.5 is encroaching on the right side of the Highway of Athirampattinam road and is getting away with it because he is the President of the Village Panchayat. On representation of the petitioner, an inspection was carried out and the encroachment was found at site and stopped, as would be apparent from the communication of the Highway Department dated 01.04.2016 wherein even demarcation has been directed.

2.Now, the petitioner contends that the construction is re-started without permission.

3.The State Highways Department / the fourth respondent to look into the matter forthwith and if any unauthorised construction has again been re-started, to stop the same and proceed in accordance with law. The necessary action be taken within a week of the receipt of the order.

4.Writ petition is disposed of with the aforesaid direction. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

sra
To

1.The District Collector, Thiruvarur.

2.The Tahsildar,
Mannarkudi, Thiruvarur District.

3.The Assistant Executive Engineer,
Highways Department, Mannarkudi, Thiruvarur District.

4.The Assistant Zonal Engineer,
Highways Department, Mannarkudi, Thiruvarur District.

+1 cc to Mr.S.Vinothkumar, Advocate, sr.27472

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bvr co
kra 29.04.2016