IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.24670 of 2016

Kumari .. Petitioner

-vs-

1.The District Collector,
Cuddalore District.

2.The Divisional Engineer,
National Highway, Thittakudi,
Cuddalore District.

3.Murugan
4.Raju .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 2nd respondent to consider the petitioners representation dated 2.11.2015 and to remove the encroachment made by the respondents 3 and 4 in the Highway land situated in between the property comprising Survey No.271/28 bearing Old No.9/3 New Door NO.4 North Main Road Pennadam Thittakkudi Taluk Cuddalore District and the North Main Road Pennadam.

For Petitioner : Mr.P.Sesubalan Raja

For Respondents : Mr.M.K.Subramanian
Govt. Pleader for RR 1 and 2
: Mr.T.Sivagnanasambandam
for RR 3 and 4

* * * * *

O R D E R

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

Learned Government Pleader appearing for the first and second respondents states that the encroachments will be cleared within two (2) weeks. We may note that there cannot be any

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invoking of jurisdiction of the Civil Court in respect of encroachment matters as observed in Consumer Action Group, Rep. By its Trustee vs. State of Tamil Nadu and Others, 2006 (4) CTC 483.

2.We take the aforesaid statement on record and the respondent authorities will remain bound by the same.

3.Writ petition stands disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sra
To

1.The District Collector,
Cuddalore District.

2.The Divisional Engineer,
National Highway, Thittakudi,
Cuddalore District.
+1 cc to M/s.P.Sesubalan Raja Advocate sr 67447
+2 ccs to M/s.T.Sivagnanasambandam Advocate sr 67388
+1 cc to the Government Pleader High Court
sr 67707 7 67497

W.P.No.24670 of 2016

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