

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2016

CORAM

The HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.32166 of 2016

S.Saravanan
Secretary, People Social Welfare Association
No.39-B, Pallapalayam
Somanur, Palladam Taluk
Tiruppur District. .. Petitioner

Vs.

1. The District Collector
Tiruppur District.
Tiruppur.
2. The Divisional Engineer - Highways
Tiruppur Division
Kumaran Road
Tiruppur - 641 601.
3. The Thasildar
Palladam Taluk
Tiruppur District.
4. The Assistant Divisional Engineer
Highways, C&M
Palladam - 641 664
Tiruppur District. .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus to direct the respondents to consider the representations made by the petitioner herein on 21.5.2016 and 13.6.2016 and to remove the encroachments made on the sides of the State Highways No.169 comprised in S.No.698/1, Samalapuram Village, Palladam Taluk, Tiruppur District.

For Petitioner : Mr.V.P.Sengottuvel

For Respondents : Mr.M.K.Subramanian
Government Pleader

ORDER

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

The petitioner as Secretary of the People Social Welfare Association has filed the public interest litigation aggrieved by the inaction of the respondent-authorities in removing the encroachments made by private persons on the southern side of the road between Samalapuram Junction to Somanur Bus Stand situated at R.S.No.698/1 of Samalapuram Village, Palladam Taluk, Tiruppur District, which is stated to be a State Highway.

2. It is the case of the petitioner that, on representation being made, the District Collector even issued a memo dated 21.6.2016 directing the Taluk Officers, including the Tahsildar and the Divisional Engineer, Highways Department, to take action on the complaint within a period of sixty days, but to no avail.

3. On hearing the learned counsel for the parties, we direct the Tahsildar, Palladam, to cause an inspection to be made of the area, if not already made, within one month from the date of the receipt of the order and to submit a report to the District Collector as well as the Divisional Engineer, Highways Department. On encroachments being found, action in accordance with law be taken with notice to all concerned within a maximum period of two months thereafter.

The petition, accordingly, stands disposed of. No costs.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To:

1. The District Collector
Tiruppur District.
Tiruppur.
2. The Divisional Engineer - Highways
Tiruppur Division
Kumaran Road
Tiruppur - 641 601.
3. The Thasildar
Palladam Taluk
Tiruppur District.

4. The Assistant Divisional Engineer
Highways, C&M
Palladam - 641 664
Tiruppur District.

+1 cc to Mr.V.P.Sengottuvel, advocate,sr.52180

+1 cc to Govt.Pleader,sr.52387.

mg(co)
krd 20/9

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