



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 28.09.2016

CORAM:
THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN
W.P.[MD].No.15060 of 2014

C.Yesudhas : Petitioner
Vs.

1.The District Collector,
Kanyakumari District.
2.The Chief Engineer,
Highways Department, Chepauk,
Chennai.
3.The Divisional Engineer,
Highways Department,
Nagercoil, Kanyakumari District. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to remove the encroachment and by quality roads ensuring accident free and safety road for free flow of traffic with immediate effect and enable good surface transport on Azhakiapandypuram to Thuvachi road in Kanyakumari District.

For Petitioner : Mr.S.Jayakumar
For Respondents : Mr.M.Govindan,
Special Government Pleader

O R D E R

[Order of the Court was made by **S.NAGAMUTHU, J.**]

The petitioner has come up with this Public Interest Litigation seeking a direction to the respondents to remove the encroachment on the public road between Azhakiapandypuram and Thuvachi Road in Kanyakumari District.

2. We have heard the learned counsel appearing on either side and we have also perused the records carefully.

3. But, unfortunately, in this Writ Petition, the so-called encroachers have not been made as parties. Without affording opportunity to them, it is not possible for us to issue any direction as prayed for. However, we observe that it is for the authorities concerned to consider the representation of the petitioner.



4. The Writ Petition is, accordingly, dismissed. No costs.

Sd/-

Assistant Registrar(Crl.Side)

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/TRUE COPY/

Sub Assistant Registrar

To

- 1.The District Collector,
Kanyakumari District.
- 2.The Chief Engineer,
Highways Department, Chepauk,
Chennai.
- 3.The Divisional Engineer,
Highways Department,
Nagercoil, Kanyakumari District.

+1cc to M/S.S.JAYAKUMAR,ADVOCATE,SR NO: 57200

+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO: 57032

SML

JA-SKS-RR-14.10.2016/2P:6C

Order made in
W.P.[MD].No.15060 of 2014
Dated: 28.09.2016