



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2016

CORAM:

**THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**

W.P.[MD].No.21125 of 2016
and
W.M.P.(MD).No.15107 of 2016

V.Maragatham

: Petitioner

Vs.

1. The District Collector,
Dindigul District, Dindigul.
2. The Tahsildar,
Oddanchathiram Taluk,
Oddanchathiram.
3. The Assistant Divisional Engineer,
Highways and Rural Work Department,
Palani.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents and their subordinates in any manner from disturbing the petitioner's peaceful possession and enjoyment of her property situated in Survey Nos.54/1 and 54/2, Oddanchathiram, Dindigul District.

For Petitioner : Mr.K.Govindarajan
For Respondents : Mr.S.Chandrasekar
Government Advocate

O R D E R

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

The petitioner has come up with this Writ Petition apprehending that the respondents may evict him from the property comprised in Survey Nos.54/1 and 54/2, Oddanchathiram, Dindigul District. According to the petitioner, he is the absolute owner of the said land and he has been in possession and enjoyment of the same. He would further submit that under the guise of removing the encroachment on the public road, the respondents are trying to disturb the possession of the petitioner.



2. The learned Government Advocate, taking notice for the respondents 1 to 3, on instructions from them, would submit that only measurement is going on to fix the road margin. After the measurement is completed, if it is found that there is encroachment on the State Highways Road, then only, further steps would be taken to remove the encroachment.

3. The said statement made by the learned Government Advocate is recorded.

4. In view of the said statement, no further direction as prayed for by the petitioner could be granted. The Writ Petition is, therefore, dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul District, Dindigul.
2. The Tahsildar,
Oddanchathiram Taluk,
Oddanchathiram.
3. The Assistant Divisional Engineer,
Highways and Rural Work Department,
Palani.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 65288

NB

TE/GSV-PM : 18/11/2016 : 2P/5C

ORDER MADE IN
W.P. [MD] .No.21125 of 2016
and
W.M.P. (MD) .No.15107 of 2016
02.11.2016