

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.3.2017

CORAM

THE HONOURABLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.6912 of 2017

Dhayalan

...Petitioner

Versus

1 The District Collector
Krishnagiri District.

2 The Tahsildar
Uthangarai Taluk Krishnagiri District.

3 The Assistant Divisional Engineer
Highways Department
Uthangarai Post & Taluk
Krishnagiri District.

4 Mrs.Sivagami

5 Venkatachalam

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to take necessary action to remove the illegal construction on both side of the poramboke land belonging to the State Highways Road Land in Survey No.17/2 of Andiyur Village, Uthangarai Taluk, Krishnagiri District by the 3rd and 4th respondents.

For petitioner : Mr.K.Thiruvengadam

For R1 to R3 : Mr.R.Vijayakumar, AGP

ORDER

(Order of the court was made by HULUVADI G.RAMESH, ACJ.)

Heard the learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for respondents 1 to 3.

2 The writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to take necessary action to remove the illegal construction on both side of the poramboke land belonging to the State Highways Road Land in Survey No.17/2 of Andiyur Village, Uthangarai Taluk, Krishnagiri District by the 3rd and 4th respondents.

3. According to the petitioner, he is a small farmer owning the lands in S.No.42/1, 42/2A and 42/2B situate at Antigua Village and the only pathway to reach his land is the Government Poramboke land in S.No.17/2 which is now encroached by the fourth and fifth respondents by putting up illegal construction and the representation dated 19.1.2017, submitted by him to the respondent-authorities in this regard has not been considered and hence, the present writ petition has been filed.

4. Therefore, it is for the respondent-authorities to consider the grievance of the petitioner on the allegation of encroachment of pathway made by respondents 4 and 5, after hearing 4 and 5 respondents regarding the alleged encroachment and illegal construction, and do the needful in accordance with law. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

ssk

Sub Assistant Registrar

To

1 The District Collector
Krishnagiri District.

2 The Tahsildar
Uthangarai Taluk Krishnagiri District.

3 The Assistant Divisional Engineer
Highways Department
Uthangarai Post & Taluk
Krishnagiri District.

+1cc to Mr.Thiruvengadam, Advocate, S.R.No.17808
+1cc to the Government Pleader, S.R.No.17935

W.P.No.6912 of 2017

EV(CO)
RS(13/04/2017)