



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.06.2017
CORAM

THE HON'BLE MR.JUSTICE A.SELVAM

and

THE HON'BLE MR.JUSTICE N.AUTHINATHAN

W.P(MD) No.22890 of 2015

S.Thanga Prabhu

... Petitioner

-vs-

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Divisional Engineer,
State Highways Department,
Virudhunagar.

3.The Municipal Commissioner,
Srivilliputhur Municipality,
Virudhunagar District.

4.The Inspector of Police,
Traffic Wing,
Srivilliputhur,
Virudhunagar District.

5.G.Seenivasagam

6.R.Sundar

7.R.Paramasivam

8.M.Narayanan

9.M.Eswaran

10.G.Gopalakrishnan

11.M.Thangaraj

12.C.Muthukumar

13.G.Selvaraj

14.T.Karuppasamy

15.K.Kattu Raja

16.I.Dhanasekar

17.M.Murugesan

18.P.Gurunathan

19.K.Balasubramanian

20.S.Balasubramanian

(RR - 5 to 20 impleaded vide order

dated 15.09.2016 made in WMP(MD)NO.2646/2016) ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondents to remove the encroachments made by the numerous street vendors and unauthorised auto parking in front of the



petitioner shops in the junction North Car Street, where Nethaji road and Periyakadai Bazar meet in Srivilliputhur Town, Virudhunagar District by considering the representation of the petitioner dated 22.09.2015 within the time frame to be fixed by this Court.

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For Petitioner	: M/s.N.Krishnaveni Senior Counsel for M/s.Vastlaw Associates
For RR - 1, 2 & 4	: Mr.M.Govindan Special Government Pleader
For RR - 5 to 20	: Mr.M.Ajmalkhan Senior Counsel
For R - 3	: No appearance

O R D E R

[Order of the Court was made by **A.SELVAM, J.**]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to direct the respondents to remove the encroachments made by the numerous street vendors and unauthorised auto parking in the junction of North Car Street, Nethaji road and Periyakadai Bazar meet in Srivilliputhur Town, Virudhunagar District by way of issuing a Writ of Mandamus.

2.The learned Senior Counsel appearing for the petitioner has contended to the effect that in the highways roads mentioned in the petition, so many encroachments are in existence and due to that a representation has been given on 22.09.2015. But so far, no action has been taken. Under the said circumstances, the present Writ Petition has been filed for getting the relief sought therein.

3.The learned Senior Counsel appearing for the respondents 5 to 20 has also equally contended to the effect that already a peace committee meeting has been convened, wherein compromise was effected and due to that the criminal case filed against the petitioner has been withdrawn.

4.The main grievance expressed on the side of the petitioner is that there are some encroachments on highways roads in the place mentioned in the petition. Further, it is seen from the records that on 22.09.2015 a representation has been given, but the same has not been considered.

5.Considering the consistent stand taken on the side of the petitioner to the effect that there are some encroachments on highways roads in the place mentioned in the petition, this Court is inclined to pass the following order.



6. In fine, this writ petition is allowed without cost. The second respondent is directed to remove encroachments if any in the place mentioned in the petition under due process of law within a period of one month.

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/True Copy/

Sd/-
Assistant Registrar (RTI)

Sub Assistant Registrar

To

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Divisional Engineer,
State Highways Department,
Virudhunagar.
3. The Inspector of Police,
Traffic Wing,
Srivilliputhur,
Virudhunagar District.

+1cc to SPECIAL GOVERNMENT PLEADER in SR. NO.59645
+1cc to M/s. P.SRINIVAS Advocate in SR. No.59491
+1cc to VAST LAW ASSOCIATES in SR. No.59525
+1cc to M/s. C.VAKEESWARAN Advocate in SR. No.59140

mj
JS/JC/SAR.4/14.6.2017/3P-8C

W.P (MD) No.22890 of 2015
08.6.2017