



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2017

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD) No.11119 of 2017

and

W.M.P.(MD)No.8523 of 2017

L.Paramasivam

... Petitioner

-vs-

1.The Divisional Engineer,
Highways Department,
Thirukokarnam,
Pudukkottai District.

2.The Assistant Engineer,
Highways Department,
Thirukokarnam,
Pudukkottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus forbearing the respondents and their men from demolishing the petitioner's house situate in T.S.No.5968 and 5970 in Door No.137, Malaiyeedu, Thirumayam Road, Pudukkottai Town and District without following procedure and law and surveying and demarcating the aforesaid survey numbers.

For Petitioner : Mr.K.Baalasundharam

For Respondents : Mr.G.Muthukannan
Government Advocate

O R D E R

The petitioner has come up with this Writ Petition for issuance of Writ of Mandamus forbearing the respondents from demolishing the petitioner's house situated in T.S.No.5968 and 5970 in Door No.137, Malaiyeedu, Thirumayam Road, Pudukkottai Town and District without following procedure and law and surveying and demarcating the aforesaid survey numbers.

<https://hcservices.ecourts.gov.in/hcservices/>

2. On 20.06.2017, this Court permitted the respondents to carry out survey to find out the encroachment.



3. When the matter was taken up today, the learned Counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents would submit that pursuant to the order passed by this Court dated 20.06.2017, the Official respondents have conducted survey on 29.06.2017 and removed the sunshade slab of the petitioner's house, which was under encroachment.

4. The learned Government Advocate would further submit that if the respondents require the land of the petitioner, they will follow the due process of law.

5. Recording the above submissions, this Writ Petition is closed. No costs. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub-Assistant Registrar

To

1. The Divisional Engineer,
Highways Department,
Thirukokarnam,
Pudukkottai District.

2. The Assistant Engineer,
Highways Department,
Thirukokarnam,
Pudukkottai District.

+One cc to Mr.K.Baalasundharam, Advocate, SR.No.64132

+One cc to The Special Government Pleader, SR.No.64561

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RL/5C/2P/KK/SAR1/26/7/2017

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