



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE **A.SELVAM**
and
THE HONOURABLE MR.JUSTICE **P.KALAIYARASAN**

W.P (MD) No.1459 of 2017

S. Govindasamy

.. Petitioner

Vs.

- 1.The Sub-Divisional Engineer,
Highways Department
Dindigul, Dindigul District.
- 2.The Assistant Engineer,
Highways Department,
Vathalagundu, Dindigul District.
- 3.The District Collector,
Dindigul District.
- 4.The Executive Officer,
Vathalagundu Town Panchayat,
Vathalagundu, Dindigul District.

5.M.Rakkammal

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to remove the encroachment made by the fifth respondent at Bathalagundu to Kodai Road Highway through Kanavoipatti and consequently directing the respondents to conduct periodical inspection to ensure the Highways free from any kind of encroachment.

For Petitioner
For Respondents 1 to 4

: Mr.R.Pandi Maharaja
: Mr.D.Muruganandam,
Additional Government Pleader.

ORDER

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



remove encroachments which are in existence from Vathalagundu to Kodai Road Highways, by way of issuing a writ of mandamus.

2.It is averred in the petition that the petitioner is a resident of Bazar Street, Vathalagundu, Dindigul District. Further it is averred in the petition that from Vathalagundu to Kodai Road on both sides of Highways Road, so many encroachments are in existence and thereby caused hindrance to the general public. Under the said circumstances, the present writ petition has been filed for getting the relief sought therein.

3.Mr.D.Muruganandam, learned Additional Government Pleader, has taken notice for the respondents 1 to 4.

4.Considering the contention putforth on the side of the petitioner, this Court is inclined to pass the following order.

5.In fine, this writ petition is allowed without costs and the respondents 1 and 2 are strictly directed to conduct proper survey and if there is any encroachment on both sides of Vattalakundu to Kodai Road Highways, remove the same under due process of law within a period of two months.

Sd/-

Assistant Registrar(C)

/True Copy/

Sub Assistant Registrar

smn

To

1.The Sub-Divisional Engineer,
Highways Department,
Dindigul, Dindigul District.

2.The Assistant Engineer,
Highways Department,
Vathalagundu, Dindigul District.

3.The District Collector,
Dindigul District.

4.The Executive Officer,
Vathalagundu Town Panchayat,
Vathalagundu, Dindigul District.

+1cc to Spl.Government Pleader Sr.No. 5301

JAM/08.02.17/CM-MSA/2P-6C