



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No. 17124 of 2017
and
W.M.P (MD) .No.13704 & 13705 of 2017

1.A.Parvatham

2.Arumugam

.. Petitioners

Vs.

The Assistant Divisional Engineer,
Highways Department,
(Construction and Maintenance),
Dindigul,
Dindigul District.

.. Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings in மே.கு.எண். 25/ஆத்கிரமிப்பு/2017/உ/நாள் 18.08.2017 passed by the respondent and quash the same and consequently forbear the respondent his men, agent from demolishing and destroying the petitioner's house in Door No.44L, Balakrishnapuram, YMR Patti, Siluvathur Road, Dindigul District in T.S.No.1771/1A.

For petitioners
For Respondent

: Mr.V.Santhakumaresan
: Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

The writ petitioner challenges the order, dated 18.08.2017 passed by the respondent herein. The respondent has called upon the writ petitioners to remove the encroachment in question. But the said order has been passed in violation of the principles of natural justice. Therefore, on this ground, this Court quashes the impugned order, dated 18.08.2017, the matter is however remitted to the file of the respondent with liberty to pass fresh orders in accordance with law.



2. The writ petition is allowed as indicated above. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

WEB COPY

/True Copy/

Sub Assistant Registrar

To:

The Assistant Divisional Engineer,
Highways Department,
(Construction and Maintenance),
Dindigul, Dindigul District.

+1cc to The Spl. Government Pleader Sr.No.79735

RMK/PJL

VB/KK/SAR3/24/10/2017/2P/3C

ORDER MADE IN
W.P. (MD) No. 17124 of 2017
18.09.2017