



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.1771 of 2017

V.Kumaresan

.. Petitioner

Vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Commissioner,
Pudukkottai Municipality,
Pudukkottai.

3.The Divisional Engineer (HD),
Highways Office,
Thirukokarnam,
Pudukkottai District.

4.The Deputy General Manager (Tech) cum
Project Director,
National Highways Authority of India,
Project Implementation Unit,
No.1, 2nd Floor,
Subramaniapuram 3rd Street,
Karaikudi, Sivagangai District.

.. 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 in the Nainarikulam, Chinna Vengapayyan Kulam, Diary Farm to Malaiyeedu, Pudukkottai to Machuvadi Road, Thiruvappur to Mettupatti Road by taking necessary action based on the petitioner's representation dated 13.01.2017.

For Petitioner

: Mr.V.S.Badrinath

For Respondents 1 and 3

: Mr.D.Muruganandam,
Additional Government Pleader.

For Respondent No.2

: Mr.P.Mahendran

For Respondent No.4

: No appearance



ORDER

[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 encroachments which are in existence in the places mentioned in the petition, by way of issuing a writ of mandamus.

2.It is averred in the petition that the petitioner is a resident of Puthambur, Pudukkottai Taluk and District. Further it is averred in the petition that in and around Pudukkottai Town in the places mentioned in the petition, so many encroachments are in existence. Under the said circumstances, a representation has been given on 13.01.2017 to the authorities concerned, but the same has not been considered and therefore 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 and 3. Mr.P.Mahendran, learned counsel, has taken notice for the second respondent. The learned standing counsel appearing for the fourth respondent is not present.

4.Considering the fact that a representation has been given on 13.01.2017 and also considering that the specific contention putforth on the side of the petitioner is that in the places mentioned in the petition so many encroachments are in existence, this Court is inclined to pass the following order.

5.In fine, this writ petition is allowed without costs and the respondents are strictly directed to remove encroachments which are in existence in the places mentioned in the petition under due process of law within a period of one month.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Commissioner,
Pudukkottai Municipality,
Pudukkottai.



3.The Divisional Engineer (HD),
Highways Office,
Thirukokarnam,
Pudukkottai District.

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4.The Deputy General Manager (Tech) cum
Project Director,
National Highways Authority of India,
Project Implementation Unit,
No.1, 2nd Floor,
Subramaniapuram 3rd Street,
Karaikudi, Sivagangai District.

+1cc to Mr.P.Mahendran, Advocate SR.No.6067
+1cc to special Government Pleader SR.No.6012

smn

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ORDER MADE IN
W.P (MD) No.1771 of 2017
02.02.2017