



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.12.2017**

CORAM:

THE HONOURABLE MR. JUSTICE R. SUBBIAH

AND

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

W.P. (MD) No. 23254 of 2017

P. Durairaj

: Petitioner

Vs.

1. The Divisional Engineer,
Highways Department
Palayamkottai
Tirunelveli District

2. The Assistant Divisional Engineer,
Highways Department
Ambasamuthram,
Tirunelveli District

3. The Assistant Engineer
Highways Department
Cheranmahadevi
Tirunelveli District

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus to direct the respondents to consider and dispose of the petitioner's representation dated 08.12.2017 sent in connection with the subject matter of removal encroachments in Survey Nos. 269/9, 269/10, 269/11, 269/12 and 269/13 situated at Iythankattalai, Alangulam Taluk, Tirunelveli District as expeditiously as possible, particularly, within the time stipulation as prescribed by this Court.

For Petitioner

: Mr. R. Anand

For Respondents

: Mr. T. R. Janarthanan

Additional Government Pleader

ORDER

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

This writ petition has been filed as a public interest litigation to direct the respondents to consider and dispose of the petitioner's representation dated 08.12.2017 sent in connection with the subject matter for removal of encroachments in Survey Nos. 269/9, 269/10, 269/11, 269/12 and 269/13 situated at Iythankattalai, Alangulam Taluk, Tirunelveli District as expeditiously as possible.



2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

3. It is the case of the petitioner that his village, namely, Iythankattalai is situated between Kadayam and Mukoodal Road at a distance of 8 kms. It is alleged that in S.Nos.269/9 to 269/13, at the southern side of the road, encroachments were made by unauthorised occupants who slowly intruded into the Highways road and thereby occupied the road and as a result of which, the vehicle movement gets obstructed. Therefore, the petitioner made a representation to the respondents on 08.12.2017. However, the said representation has not been considered so far. Therefore, he is before this Court with this writ petition.

4. In view of the above, without going into the merits or the claim made by the petitioner, the first respondent is directed to consider the representation of the petitioner dated 08.12.2017 on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Divisional Engineer,
Highways Department,
Palayamkottai,
Tirunelveli District.
2. The Assistant Divisional Engineer,
Highways Department,
Ambasamuthram,
Tirunelveli District.
3. The Assistant Engineer,
Highways Department,
Cheranmahadevi,
Tirunelveli District.

+1cc to Spl.Government Pleader Sr.No.94217

RR
VB/JC/SAR1/22/01/2018/2P/5C

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Order made in
W.P. (MD) No.23254 of 2017
Dated: 19.12.2017