



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **17.03.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **A.SELVAM**

and

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

W.P (MD) No.4525 of 2017

C.Sundar Raj

.. Petitioner

Vs.

1.The District Collector,
Office of District Collectorate,
Tirunelveli, Tirunelveli District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Tirunelveli, Tirunelveli District.

3.The Tasildhar,
Radhapuram Taluk,
Tirunelveli District.

4.The Assistant Divisional Engineer,
Highways Department (Construction and Maintenance),
Radhapuram Taluk, Tirunelveli District.

5.Murugan

6.Ramesh

.. 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 respondent Nos.1 to 4 to remove the illegal encroachment made by respondent Nos.5 and 6 in Kavalkinaru-Radhapuram Road 2/2 K.M. in Government land opposite to Survey No.1686/3D3 in Perungudi Village, Radhapuram Taluk, Tirunelveli District, within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents 1 to 4 : Mr.K.Guru,
Additional Government Pleader.

ORDER

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



remove encroachments which are in existence on the Highways Road from Kavalkinaru to Radhapuram, by way of issuing a writ of mandamus.

2.Mr.K.Guru, learned Additional Government Pleader, has taken notice for the respondents 1 to 4. Considering the nature of the relief sought in the writ petition, notice need not be sent to the respondents 5 and 6.

3.The learned counsel appearing for the petitioner has contended to the effect that the respondents 5 and 6 have made several encroachments on the Highways Road from Kavalkinaru to Radhapuram and under the said circumstances, the present writ petition has been filed for getting the relief sought therein.

4.Considering the nature of the relief sought in the writ petition, this Court is inclined to pass the following order.

5.In fine, this writ petition is allowed without costs and the respondents 1 to 4 are strictly directed to conduct proper survey in respect of the alleged encroachments mentioned in the petition and take appropriate steps for removing encroachments under due process of law within a period of two months.

SD/-

ASSISTANT REGISTRAR(CO)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1.The District Collector,
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Tirunelveli, Tirunelveli District.

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3.The Tasildhar,
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Tirunelveli District.

4.The Assistant Divisional Engineer,
Highways Department (Construction and Maintenance),
Radhapuram Taluk, Tirunelveli District.

+1 CC TO MR/T.LAJAPATHI ROY,ADVOCATE,SR NO:15726

+1 CC TO SPECIAL GOVERNMENT PLEADER ,SR NO.15799

MAS/SV-MMS/SAR2:23.03.2017:2P-7C