



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 21.06.2017
CORAM:

THE HONOURABLE MR.JUSTICE **A.SELVAM**
and
THE HONOURABLE MR.JUSTICE **N.AUTHINATHAN**

W.P(MD)No.6144 of 2017

Shanmugaiah

.. Petitioner

Vs.

- 1.The District Collector, Tirunelveli District.
- 2.The District Revenue Officer, Tirunelveli District.
- 3.The Tahsildar, Sankarankovil Taluk,
Tirunelveli District.
- 4.The Divisional Engineer,
Highways Department,
Palayamkottai, Tirunelveli - 627 002.
- 5.The Assistant Divisional Engineer,
Highways Department,
Palayamkottai, Tirunelveli - 627 002.

.. 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 encroachments in S.No.297 in Sankarankovil - Tirunelveli State Highways at Thirumalapuram Village, Sankarankovil Taluk, Tirunelveli District within a time frame that may be fixed by this Court by considering the petitioner's representation dated 23.03.2017.

For Petitioner
For Respondents

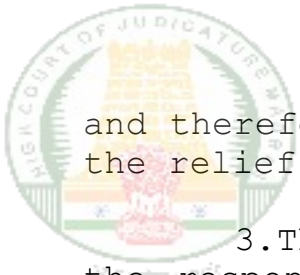
: Mr.R.Rajamohan
: Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

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 Survey No.297, Vadakku Panavadali, Thirumalapuram Village, Sankarankovil Taluk, Tirunelveli District, by way of issuing a writ of mandamus.

2.The learned counsel appearing for the petitioner has contended to the effect that in Vadakku Panavadali, Thirumalapuram Village, Survey No.297 has been classified as Highways and on both sides of the same, so many encroachments are in existence and for the purpose of removing it, the petitioner has given a representation on 23.03.2017 and the same has not been considered



and therefore the present writ petition has been filed for getting the relief sought therein.

3.The learned Additional Government Pleader appearing for the respondents has contended to the effect that Survey No.297, Vadakku Panavadali, Thirumalapuram Village has been classified as Highways Road, but with regard to encroachment some more time is required to ascertain the same.

4.The contention putforth on the side of the petitioner is that on both sides of Highways Road, so many encroachments are in existence and further on 23.03.2017, a representation has been given by the petitioner and the same has not been considered.

5.Considering the aforesaid factual circumstances, this Court is inclined to pass the following order.

6.In fine, this writ petition is allowed without costs and the respondents 3 to 5 are directed to conduct proper survey in respect of Survey No.297, Vadakku Panavadali, Thirumalapuram Village, Sankarankovil Taluk, Tirunelveli District and if there is any encroachment directed to remove the same under due process of law within a period of two months.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector, Tirunelveli District.
 - 2.The District Revenue Officer, Tirunelveli District.
 - 3.The Tahsildar, Sankarankovil Taluk,
Tirunelveli District.
 - 4.The Divisional Engineer, Highways Department,
Palayamkottai, Tirunelveli - 627 002.
 - 5.The Assistant Divisional Engineer,
Highways Department,
Palayamkottai, Tirunelveli - 627 002.
- +1cc to M/S.R.Rajamohan, Advocate SR.No. 61270
+1cc to Special Government Pleader, SR.No. 61650

ORDER MADE IN
W.P(MD) No.6144 of 2017
21.06.2017