



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **21.04.2017**
CORAM:

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

W.P (MD) No.7379 of 2017

T.Sivakumar .. Petitioner

Vs.

1.The District Collector,
Trichy, Trichy District.

2.The Divisional Engineer,
State Highways, Trichirappalli.

3.The Tahsildar,
Thiruvarumbur Taluk,
Trichy District.

4.Rengarajan,
Tahsildar,
Tiruvarumbur Taluk,
Trichy District.

[Fourth respondent is deleted as per
second paragraph of this order]

.. 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 1 to 3 to remove the encroachments in the road from Anna Arch to V.O.C. Nagar Bridge in Thuvakudi Malai Town, Thiruvarumbur Taluk, Trichy District.

For Petitioner : Mr.K.Govindarajan

For Respondents 1 to 3 : Mr.K.Guru,
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 1 to 3 to remove encroachments which are in existence on both sides of road from Anna Arch to V.O.C. Nagar Bridge in Thuvakudi Malai Town, Thiruvarumbur Taluk, Tiruchirappalli District, by way of issuing a writ of mandamus.



2.Mr.K.Guru, learned Additional Government Pleader, has taken notice for the respondents 1 to 3. Since the third respondent has already been impleaded, he need not be impleaded in personal capacity as fourth respondent and therefore fourth respondent is deleted.

3.The learned counsel appearing for the petitioner has contended to the effect that despite of strenuous efforts, the respondents 1 to 3 have not removed the encroachments which are in existence from the place mentioned in the petition and under the said circumstances, the present writ petition has been filed.

4.The learned Additional Government Pleader appearing for the respondents 1 to 3 has contended to the effect that already a Peace Committee Meeting has been convened with regard to removal of alleged encroachments.

5.Considering the divergent representations made on the side of the petitioner as well as respondents 1 to 3, this Court is inclined to pass the following order.

6.In fine, this writ petition is allowed without costs and the respondents 1 to 3 are strictly directed to conduct proper survey 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(RTI)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Trichy, Trichy District.
- 2.The Divisional Engineer,
State Highways,
Trichirappalli.
- 3.The Tahsildar,
Thiruvarumbur Taluk,
Trichy District.

+1cc to Mr.K.Govindarajan, Advocate in SR.No:53905

+1cc to Special Government Pleader in SR.No:53557

smn

AE/SV MMS/SAR3/27.04.2017/2P/6C