



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.3820 of 2016

and

W.M.P(MD)No.7130 of 2016

M.M.Abdul Jabbar

.. Petitioner

Vs.

- 1.The District Collector,
Tanjore District,
Tanjore.
- 2.The Tahsildhar,
Pattukottai Taluk,
Tanjore District.
- 3.The Divisional Engineer,
Highways Department (SH49),
Highways Department,
Pattukottai, Tanjore District.
- 4.The Additional Divisional Engineer,
Construction and maintenance(Highways),
Pattukottai, Tanjore District.

5.N.Kalidass

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the illegal encroachment made by respondent no.5 in the lands adjoining the Survey No.279/2A1, 279/2A2, 279/2 B, 280/2B3, 281/1, 281/2 situated at State Highway 49, also known as East Coast Road (ECR) at Earipuraikarai Village, Pattukottai Taluk, Tanjore District.

For petitioner
For R1 to R3

: Mr.T.Lajapathi Roy
: Mr.T.S.Mohammed Mohideen
Special Government Pleader.

O R D E R

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

The writ petitioner seeks removal of the encroachments made in State Highway 49, also known as East Coast Road (ECR) at Earipuraikarai Village, Pattukottai Taluk, Tanjore District. The details in encroachment are also given in the representation dated 14.11.2015 given by the writ petitioner.

2.The third respondent has not so far taken action in the matter. This Court therefore directs the Divisional Engineer, Highways Departments, the third respondent herein to cause removal of the said encroachment. After issuing notice to the concerned parties and after following the statutory procedure. The entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

This Writ Petition is accordingly disposed of. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

- 1.The District Collector,
Tanjore District,
Tanjore.
- 2.The Tahsildhar,
Pattukottai Taluk,
Tanjore District.
- 3.The Divisional Engineer,
Highways Department (SH49),
Highways Department,
Pattukottai, Tanjore District.
- 4.The Additional Divisional Engineer,
Construction and maintenance(Highways),
Pattukottai, Tanjore District.

+1cc to Mr.T.LAJAPATHI ROY Advocate in SR. No. 75523
PAD/RMI
JS/SKN.RSK/SAR.1/24.10.2017/2P-6C

ORDER MADE IN
W.P. (MD) No.3820 of 2016
and
W.M.P (MD) No.7130 of 2016
30.08.2017