

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.04.2018

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE P.RAJAMANICKAM

WP.No.9335/2018

S.C.Krishnamoorthy

..

Petitioner

Versus

1.The District Collector
Erode District.

2.The Tahsildar
Erode District.

..

Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents herein to consider the representation of the petitioner dated 27.02.2018 and to consequently remove the encroachments on the Tar Road in S.Nos.26/19, 26/17 and 2/15 in Samigoundenpalayam, Erode.

For Petitioner : Mr.V.Balamurugane

For Respondents : Mr.A.N.Thambidurai, Spl.GP

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.,]

By consent, the writ petition is taken up for final disposal. Mr.A.N.Thambidurai, learned Special Government Pleader accepts notice on behalf of the respondents.

2 The petitioner claims to be an agriculturist and he has filed this writ petition styled as Public Interest Litigation alleging that encroachments have been made in S.Nos.26/15, 17 and 19, of Samigoundenpalayam, Nasiyanur Post, Erode District and on account of the same, very many accidents are taking place and despite submitting a representation on 27.02.2018, no response is forthcoming and hence, the petitioner has come forward to file the present writ petition.

3 Heard the learned counsel for the petitioner and Mr.A.N.Thambidurai, learned Special Government Pleader, who would submit that admittedly the Highways Department has not been arrayed as a party respondent in this writ petition and as such, no positive direction can be issued.

4 The Court has considered the rival submissions and also

perused the materials placed before it.

5 This Court, taking into consideration the above facts and circumstances and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit a detailed representation along with supporting documents as well as the photographs to the concerned official of the Highways Department, within period of four weeks from the date of receipt of a copy of this order and upon receipt of the same, the concerned official of the Highways Department shall consider the said representation in accordance with law and pass appropriate orders within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner.

6 The writ petition stands disposed of with the above direction.
No costs.

[MSNJ] [PRMJ]

17.04.2018

Internet : Yes

AP

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M.SATHYANARAYANAN, J.,
AND
P.RAJAMANICKAM, J.,
AP

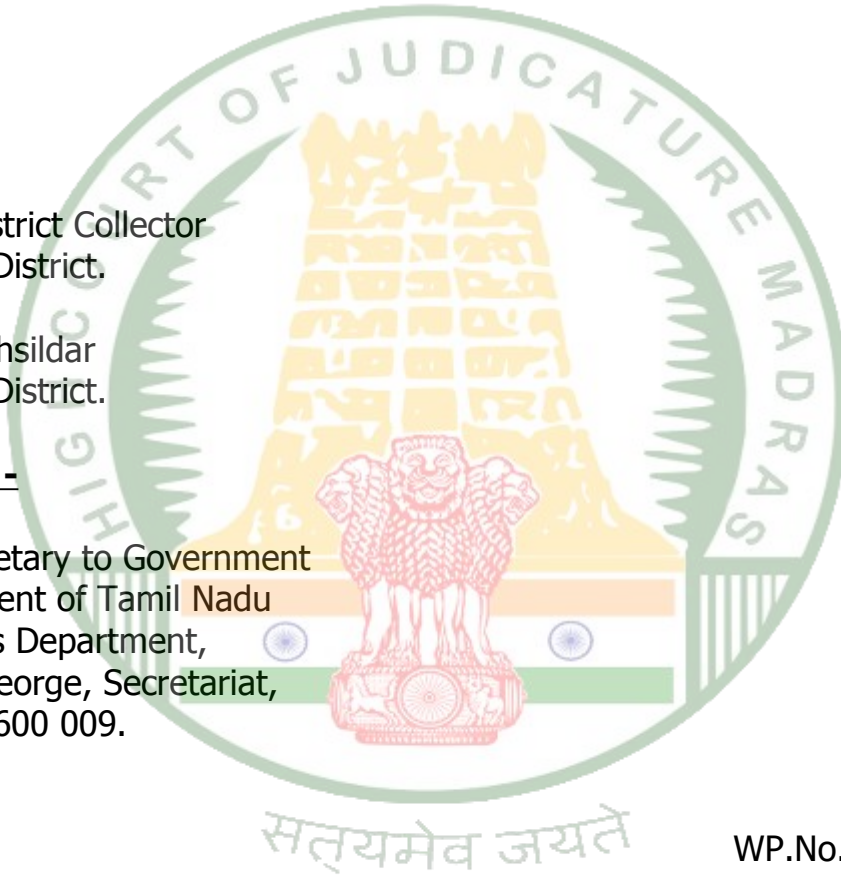
To

1.The District Collector
Erode District.

2.The Tahsildar
Erode District.

Copy to:-

The Secretary to Government
Government of Tamil Nadu
Highways Department,
Fort St George, Secretariat,
Chennai 600 009.



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