

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2018

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.4392 of 2018
and WMP.No.5393 of 2018

R.Velmurugan

... Petitioner

vs.

1.The District Collector,
Cuddalore District.

2.The Sub-Collector,
Cuddalore.

3.The Assistant Engineer,
Public Works Department,
Cuddalore - 1.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents to consider the objection dated 28.10.2016 and remainder representation dated 21.02.2018 to directly investigate the present situation of the surplus course and to give time considering students and the 37 families of the Kamarajar Nagar, Vanniyarpalayam, Cuddalore.

For Petitioner : Mr.D.Senthilkumar

For Respondents : Mr.T.N.Rajagopalan
Government Pleader

ORDER

(Order was made by Ms.Indira Banerjee, Chief Justice)

This writ petition is directed against the removal of encroachments. There are no grounds for interference with the removal. Admittedly, there is a finding of encroachments.

2. The writ petitioner has sought sympathetic consideration on the ground that examinations are due to commence next month and about ten of the students will be appearing for public examinations.

3. Considerations, such as examination, can never stand in the way of removal of unauthorised constructions, encroachments and the like. If the Courts were to give further time for such considerations, then it would be impossible to ever remove any unauthorised encroachments, illegal constructions, illegal occupation and the like because situations like education, ill-health etc. would always be there. Similar writ petitions have been dismissed by a Bench of Co-ordinate strength. A different order is not warranted.

4. Learned Government Pleader submits on instructions that on survey, it was found that there were six students of 10th standard; one student of eleventh standard and four students of 12th standard and these students would be provided with accommodation in the school hostels.

5. The writ petition is disposed of by recording the aforesaid undertaking of the learned Government Pleader to provide the concerned students with accommodation in the school hostels. No costs. Consequently, WMP.No.5393 of 2018 is closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

bbr

To:

1.The District Collector,
Cuddalore District.

2.The Sub-Collector,
Cuddalore.

3.The Assistant Engineer,
Public Works Department,
Cuddalore - 1.

+lcc to the Government Pleader, S.R.No. 14801

W.P.No.4392 of 2018

TR(08/03/2018)