



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.05.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.[MD] No.10849 of 2018

and W.M.P.(MD) No.9983 of 2018

M.Mala

: Petitioner

Vs.

- 1.The Assistant Divisional Engineer (NH),
Construction and Maintenance Department,
Madurai Road, Virudhunagar - 626 001,
Virudhunagar District.
- 2.The Divisional Engineer (NH),
Construction and Maintenance Department,
Madurai Road, Virudhunagar - 626 001,
Virudhunagar District.
- 3.The General Manager,
Virudhunagar District Co-operative Milk Producers Union,
Meenachipuram Post,
Srivilliputhur,
Virudhunagar District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in proceedings in Show Cause Notice (Issued under Highways Act, 2002 Chapter V Section 28(2)(II) dated 26.04.2018 and to set aside the same and directing the 1st respondent herein not to disturb the Avin milk booth at (in front of Government Hospital at Virudhunagar) Km 0/2 of Virudhunagar-Krishnapuram which is situated at Kottaipatti Village Survey ward 18/8 A.A. Road Virudhunagar.

For Petitioner : Mr.G.Dhanalakshmi

For Respondents 1 & 2 : Mr.D.Muruganantham

Additional Government Pleader

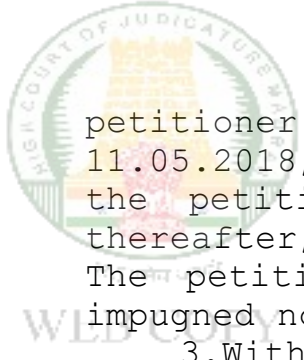
O R D E R

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

The petitioner challenges the notice dated 26.04.2018.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The impugned notice calls upon the petitioner to remove the encroachment in question. It is further stated that if the



petitioner does not clear the encroachment on her own on or before 11.05.2018, action would be taken as per law. It only means that the petitioner would be given a notice of hearing and only thereafter, there will be removal of the encroachment in question. The petitioner cannot be dispossessed on the strength of the impugned notice.

3. With this clarification, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition stands closed.

Sd/
Vacation Officer

/True copy/

Sub Assistant Registrar

To

1. The Assistant Divisional Engineer (NH),
Construction and Maintenance Department,
Madurai Road, Virudhunagar - 626 001,
Virudhunagar District.

2. The Divisional Engineer (NH),
Construction and Maintenance Department,
Madurai Road, Virudhunagar - 626 001,
Virudhunagar District.

+1cc to Mr.G.DHANALAKSHMI, Advocate, SR.No.65225
+1cc to M/s.Special Government Pleader, SR.No. 65321

W.P.[MD] No.10849 of 2018
and W.M.P.(MD) No.9983 of 2018
10.05.2018

SJ
KK/KKR/14.05.2018/SAR-1/2P-5C