

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 30.10.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

AND

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY**W.P. (MD) No.17796 of 2018**

M.Solaisenthilkumar

... Petitioner

Vs.

1. The Superintending Engineer,
(Construction and Maintenance),
State Highways,
Alagarkovil Road,
Madurai -2.
2. The Assistant Engineer,
(Construction and Maintenance),
State Highways,
Opp. to Madurai District Court,
Race Course Salai,
Madurai.
3. The Commissioner,
Madurai Municipal Corporation,
Aringar Anna Maligai,
Madurai.
4. Indirani,
No.30, Upstairs,
Doke Nagar, 3rd Cross Street,
Kochadai,
Madurai.

R4 is impleaded vide Court order
dated 21.08.2018 in W.M.P. (MD) .No.
15914 of 2018.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to remove the encroachment made on the Highway proceeding toward9s Kochadai to Madurai - Dindigul Four Lane Connectivity Road, Madurai within a time frame fixed by this Court.

For Petitioner

: Mr.M.A.Palanisami

For R1 & R2

: Mr.VR.Shanmuganathan

Special Government Pleader

For R3

: Mr.T.S.Mohammed Mohideen

**O R D E R**

[Order of the Court was made by **T.RAJA,J.**]

WEB COPY
This writ petition has been filed seeking a writ of Mandamus directing the respondents 1 to 3 to remove the encroachment made on the Highway proceeding towards Kochadai to Madurai - Dindigul Four Lane Connectivity Road, Madurai.

2. Learned counsel appearing for the petitioner in support of his prayer, placing on record the proceedings dated Nil.10.2018, submitted that the claim made by the petitioner for removal of encroachment has been admitted by the second respondent. Therefore, a specific time limit should be fixed for removal of the encroachment.

3. Mr.T.S.Mohammed Mohideen, learned counsel appearing for the third respondent also readily submitted that the Officers of the second respondent also inspected the place in question to find out whether there was any encroachment as alleged by the petitioner and after identifying the encroachment, they will proceed further for removal of the same.

4. In view of the above, we hereby direct the first respondent to remove the encroachment within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Superintending Engineer,
(Construction and Maintenance),
State Highways,
Alagarkovil Road,
Madurai -2.

2. The Assistant Engineer,
(Construction and Maintenance),
State Highways,
Opp. to Madurai District Court,
Race Course Salai,
Madurai.



3. The Commissioner,
Madurai Municipal Corporation,
Aringar Anna Maligai,
Madurai.

+1cc to Mr.T.S.Mohammed Mohideen, Advocate Sr.No.93162

+1cc to Mr.N.Satheesh Kumar, Advocate Sr.No.93682

AKV

VB/SV/SAR1/12.12.2018/3P/6C

W.P. (MD) No.17796 of 2018
30.10.2018