



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:23.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA
and

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P. (MD) No.21712 of 2018

and

W.M.P. (MD) .No.19637 of 2018

Krishnan

... Petitioner

Vs.

- 1.The Project Officer,
National Highways Authority of India,
Ponnagar, Trichy-1.
 - 2.The Superintendent of Police,
Trichy District,
Trichy.
 - 3.The Tahsildar,
Marungapuri Taluk,
M.Kallupatti,
Trichy District.
 - 4.The Inspector of Police,
Thuvarankurichi Police Station,
Thuvarankurichi,
Trichy District.
 - 5.The Project Incharge,
M/S.Eagle Deep Trichy Bye Pass Tollways India (P) Limited,
Boothagudi Toll Plaza
Viralimalai Taluk,
Pudukkottai District 621 316.
- ... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus forbearing the respondents from evicting the petitioner from his peaceful possession and enjoyment of the "G.K.S.Shop" situated on this Patta land in S.F.No.244 / 2C1 at M.Kallupatti Marungapuri village & Taluk, Trichy District, without following any due process of law and on the basis of the representation of the petitioner dated 20.09.2018 to the 1st respondent.

For Petitioner
For Respondents

: Mr.T.Vadivelan
: Mr.V.R.Shanmuganathan
Special Govt. Pleader for RR-2 to 4

ORDER

(Order of the Court was made by T.RAJA, J.)

This writ petition has been filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus forbearing the respondents from evicting the petitioner from his peaceful possession and enjoyment of the "G.K.S.Shop" situated on this Patta land in S.F.No.244 / 2C1 at M.Kallupatti Marungapuri village & Taluk, Trichy District, without following any due process of law and on the basis of the representation of the petitioner dated 20.09.2018 to the 1st respondent.

2.The learned counsel appearing for the petitioner submitted that the petitioner is pattadhar of the land covered in Sy.No.244/2C1 of M.Kallupatti, Marungapuri Village & Taluk, Trichy District, to an extent of 0.86.00. Whiles, the fifth respondent/Project Incharge of M/S Eagle Deep Trichy Bye-Pass Tollways India (P) Limited, Boothagudi Toll Plaza, Viralmalai Taluk visited the petitioner's place and forced him to evict the premises without following any due process of law.

3.On perusal of records, it is seen that the petitioner's representation, dated 20.09.2018, given to the first respondent/Project Officer, National Highways Authority of India, Trichy-1 clearly shows that he has sought for three months time for vacating the place from Sy.No.244/1C. Having admitted that he has encroached the road, he cannot maintain this writ petition.

4.While that be the case, we are not able to find any merits in the submissions made by the learned counsel appearing for the petitioner. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-I)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1.The Project Officer,
National Highways Authority of India,
Ponnagar, Trichy-1.

2.The Superintendent of Police,
Trichy District,



3.The Tahsildar,
Marungapuri Taluk,
M.Kallupatti,
Trichy District.

4.The Inspector of Police,
Thuvarankurichi Police Station,
Thuvarankurichi,
Trichy District.

5.The Project Incharge,
M/S.Eagle Deep Trichy Bye Pass Tollways India (P) Limited,
Boothagudi Toll Plaza
Viralimalai Taluk,
Pudukkottai District 621 316.

+1 cc to Special Government Pleader, SR.No.91419.

VS

DS SKN SAR1 15 11 2018 3P 7C

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