

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 23.01.2019

CORAM :

The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE
AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.1590 of 2019

and

W.M.P.Nos.1763 and 1765 of 2019

M.A.Mujub Rahman

.. Petitioner

-vs-

The Assistant Engineer (Highways),
Construction and Maintenance,
Tambaram Division,
Tambaram,
Chennai-600 042.

.. Respondent

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records of the respondent relating to the impugned notice dated NIL in respect of the property situated at No.8/232, Velachery Main Road, Vijaya Nagaram, Medavakkam, Chennai-600 100, Tambaram Taluk, Kancheepuram District, comprised in Natham S.No.276 having an extent of 3372 square feet together with houses, shops and electricity connection and quash the same.

For Petitioner : Mr.Rajesh Vivekananthan

For Respondents : Mr.V.Jayaprakash Narayanan
Government Pleader (i/c)

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner is aggrieved by the notice dated 12.02.2018, which is in respect of the property situated at No.8/232, Velachery Main Road, Vijaya Nagaram, Medavakkam, Chennai-600 100, Tambaram Taluk, Kancheepuram District, comprised in Natham S.No.276 having an extent of 3372 square feet. The said notice states that encroachers in the said property should remove encroachments in four days time.

2. The learned counsel for the petitioner submitted that notice dated 12.2.2018 is not addressed to him, but it is a general notice and therefore, it is difficult for him to take steps in relation to the said notice.

3. The learned Government Pleader (i/c) stated that notice dated 12.2.2018 is a general information given to encroachers on the said piece of land. He further stated that no action will be taken against the petitioner till notice under Section 28 of the Tamil Nadu Highways Act is issued to the petitioner. The said statement is recorded.

4. In view of the statement made by the learned Government Pleader (i/c), no further directions are necessary in the writ petition and the writ petition is closed. No costs. Consequently, W.M.P.Nos.1763 and 1765 of 2019 are also closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

bbr

To

The Assistant Engineer (Highways),
Construction and Maintenance,
Tambaram Division,
Tambaram, Chennai-600 042.

+1cc to Mr.R.Rajesh Vivekananthan, Advocate, S.R.No.5177
+1cc to the Government Pleader, S.R.No.5342

W.P. No.1590 of 2019

SSI (CO)

rrs 13/02/2019

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