

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2019

CORAM :

The Hon'ble Mrs.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.5382 of 2019

St. Paul's Matriculation School,
rep. by its Correspondent S.Sam Selvaraj,
No.8/18, Velacherry Main Road,
Vijayanagaram,
Medavakkam, Chennai-600 100. ... Petitioner

-vs-

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

Prayer: Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari and Mandamus to call for the records of the respondent related to the impugned notice dated 12.02.2018 in respect of the property situated at No.8/17, Velacherry Main Road, Vijaya Nagaram, Medavakkam, Chennai-600 100, Tambaram Taluk, Kancheepuram District, comprised in Natham S.No.276/4A, 4B, 5A, 5B, 36A and 36B having an extent of 40 cents together with building and electricity connection and quash the same.

For Petitioner : Mr.R.Rajesh Vivekananthan

For Respondent : Mr.S.Kamalesh Kannan
Government Advocate

ORDER

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

Heard Mr.R.Rajesh Vivekananthan, learned counsel for the petitioner and Mr.S.Kamalesh Kannan, learned Government Advocate for the respondents.

2. The petitioner is aggrieved by the notice dated 12.02.2018 issued by the respondent. The said notice pertains to the advertisement board put up by the petitioner on both sides of pavements on Marmalon Bridge - Irumbuliyur Road from Kilometer 5/0 - 21/2. The said notice states that encroachers on both sides of the said road should remove encroachments within four days.

3. The learned counsel for the petitioner submitted that the notice dated 12.02.2018 is not addressed to the petitioner, but it is a general notice and therefore, it is difficult for the petitioner to take steps in relation to the said notice.

4. The learned Government Advocate states that notice dated 12.02.2018 is a general information given to encroachers on the said road. He further states 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.

5. In view of the statement made by the learned Government Advocate, no further directions are necessary in the writ petition and the writ petition is closed. No costs. Consequently, W.M.P.Nos.6114 and 6116 of 2019 are also closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

bbr

To

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

+1 cc to Mr.R.Rajesh Vivekananthan, Advocate, S.R.No.26759

+1 cc to the Government Pleader, S.R.No.27214

W.P.No.5382 of 2019

SSV(CO)
SSM(09/04/2019) . (03/05/2019) .



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