

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2019

CORAM :

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.24863 of 2018

A.Umashankar

.. Petitioner

Vs.

1.The Regional Officer,
State Highways of Tamil Nadu,
1/54, Butt Road,
Sree Tower, S.P.Industrial Area,
St. Thomas Mount,
Chennai - 600 016.

2.The Divisional Engineer,
State Highways Department,
Opp to VIT, Katpadi,
Vellore- 632 014.

3.The Assistant Divisional Engineer,
State Highways Department,
Anna Salai, Arcot Town,
Arcot, Vellore District.

4.G.Vasanth Kumar

5.The Inspector of Police,
Law and Order,
Poongodu Police Station,
Arcot Taluk, Vellore District.

6.The Assistant Engineer,
TNEB Arcot Taluk,
Arcot, Vellore District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of mandamus directing the respondents 1 to 3 to remove the encroachment put up by the 4th respondent by disconnecting the electricity supply by the 6th

respondent with the assistance of the police protection given by the 5th respondent.2

For Petitioner : Mr.V.Bhiman
 For Respondents : Mr.S.Kamalesh Kannan,
 Government Advocate (R1 to R3 & R5)
 Mr.A.E.Ravichandran (R4)
 Mr.M.Varun Kumar (R6)

ORDER

(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of mandamus directing the respondents 1 to 3 to remove the encroachment put up by the 4th respondent by disconnecting the electricity supply by the 6th respondent with the assistance of the 5th respondent.

2.It is the case of the petitioner that the 4th respondent encroached the land belonging to the State Highways and put up an eatery and therefore, the encroachment should be removed by the official respondents.

3.The 3rd respondent filed a counter wherein it has been stated that on inspection they found that the 4th respondent had constructed a Shed in Survey No.19, 39 Part belonging to the Government, adjacent to Arcot - Arni Road. Further, the 3rd respondent has stated that the 4th respondent is an encroacher of Highways land in Survey No.19, 39 Part in Tajpura Village as per the report given by the Tahsildar, Arcot.

4.Therefore, the 3rd respondent, based on the report given by the Tahsildar, Arcot, specifically stated that the 4th respondent is an encroacher of the land in Survey No.19, 39 Part. In these circumstances, the official respondents shall take steps to remove the encroachment made by the 4th respondent as expeditiously as possible.

5.With these observations, the Writ Petition is disposed of. No costs.

Sd/-
 Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Regional Officer,
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St. Thomas Mount,
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State Highways Department,
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- 3.The Assistant Divisional Engineer,
State Highways Department,
Anna Salai, Arcot Town,
Arcot, Vellore District.
- 4.The Inspector of Police,
Law and Order,
Poongodu Police Station,
Arcot Taluk, Vellore District.
- 5.The Assistant Engineer,
TNEB Arcot Taluk,
Arcot, Vellore District.

+3cc to M/s.V.Bhiman, Advocate Sr.No.74968
+1cc to Mr.A.E.Ravichandran, Advocate Sr.No.74542
+1cc to The Government Pleader Sr.No.75518

AKM/23.09.2019/3P-11C/

सत्यमेव जयते

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