

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2019

CORAM :

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

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.25275 of 2018

D.Chakaravarthi Petitioner

Vs.

1.The District Collector,
Thiruvannamalai,
Thiruvannamalai District.

2.The Revenue Divisional Officer,
Thiruvannamalai,
Thiruvannamalai District.

3.The Tahsildar,
Tahsildar Office,
Thiruvannamalai,
Thiruvannamalai District.

4.The Divisional Engineer,
Highway Department,
Construction and Maintenance,
Thiruvannamalai,
Thiruvannamalai District.

5.The Assistant Executive Engineer,
Highway Department,
Construction and Maintenance,
Thiruvannamalai,
Thiruvannamalai District.

6.M.Selvi Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of mandamus to direct the respondents 1 to 5 to consider the petitioner's representation dated 09.07.2018 and demolish the house constructed by the 6th respondent by encroachment made in the Highway in S.F.No.88/2, situated at Meiyur Village, Thenimalai, Thiruvannamalai District and thereby remove all the encroachments in accordance with law.

For Petitioner : Mr.K.Silambarasan
For Respondents: Mr.V.Jayaprakash Narayanan,
Government Pleader (i/c) (R1 to R5)
Mr.B.Jawahar (R6)

O R D E R

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

Heard the learned counsel appearing for the petitioner, the learned Government Pleader (i/c) appearing for the respondent nos.1 to 5 and the learned counsel appearing for the respondent no.6.

2.The petitioner is seeking directions to respondent nos.1 to 5 to consider the petitioner's representation dated 09.07.2018 and to demolish the house constructed by respondent no.6 in the Highway in S.F.No.88/2, situated at Meiyur Village, Thenimalai, Thiruvannamalai District. According to the petitioner, the respondent no.6 has encroached the highway by putting up a house and hence, the petitioner is seeking direction to remove the said encroachment.

3.The learned Government Pleader (i/c) filed counter affidavit of the respondent no.5 viz., the Assistant Executive Engineer, Highways Department, wherein it is stated that the respondent no.6 has encroached on the road and along with the respondent no.6, there are other persons who have also encroached the road by constructing houses. In the counter affidavit, it is stated that action will be taken to evict the encroachments put up by the respondent no.6 as well as by other encroachers and the said process will be completed as early as possible.

4.In view of the averments stated in the counter affidavit of the respondent no.5, no further orders are necessary at this stage. The Writ Petition is closed. No costs.

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Sd/-
Assistant Registrar (CS viii)
//True Copy//

Sub Assistant Registrar

va
To

1.The District Collector,
Thiruvannamalai,
Thiruvannamalai District.

2.The Revenue Divisional Officer,
Thiruvannamalai,
Thiruvannamalai District.

3.The Tahsildar,
Tahsildar Office,
Thiruvannamalai,
Thiruvannamalai District.

4.The Divisional Engineer,
Highway Department,
Construction and Maintenance,
Thiruvannamalai,
Thiruvannamalai District.

5.The Assistant Executive Engineer,
Highway Department,
Construction and Maintenance,
Thiruvannamalai,
Thiruvannamalai District.

+1cc to Mr.K.Silambarasan, Advocate SR.No.25346

+1 cc to Government Pleader SR.NO. 25672

W.P.No.25275 of 2018

A.SK (15/04/2019)

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