



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

W.P. (MD)No.23879 of 2019

R.Ondiveeran

... Petitioner

Vs.

1.The Principal Secretary,
State Highways and Port Department,
Government of Tamil Nadu,
Fort St. George,
Chennai 600 009.

2.The Divisional Engineer,
Highways Department,
Theni District.

3.The Assistant Divisional Engineer (H),
Construction and Maintenance,
Uthamapalayam,
Theni District.

4.The District Collector,
Theni District,
Theni.

5.The Commissioner,
Chinnamanur Municipality,
Theni District.

6.Smt. Muthuvanam

7.Smt. Sumathi

8.Kodi Arasan

9.Smt. Mayilthai

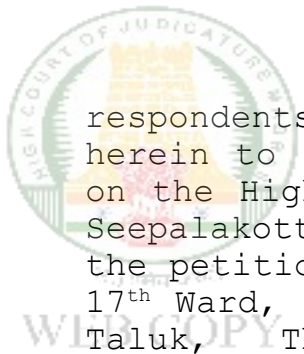
10.Sasikumar

11.Singari @ Veerammal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari Mandamus, directing the

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respondents 1 to 5 herein more particularly the respondents 2 and 3 herein to remove the encroachments made by the respondents 6 to 11 on the Highways and its rainy water channel made in Survey No.252, Seepalakottai Road, Chinnamanur and also on the east and south of the petitioner's house comprised in S.No.328/1B, bearing Door No.16, 17th Ward, Seepalakottai Road, Min Nagar, Chinnamanur, Uthamapalayam Taluk, Theni District, by considering the petitioner's representation, dated 10.09.2019 within the time stipulated by this Court.

For Petitioner : Mr.P.Mahendran

For R1 to R4 : Mr.R.Murugan
Government Advocate

For R5 : Mr.M.Karuppasamy Pandian
Standing counsel

For R6 to R11 : Mr.D.ANBARASU

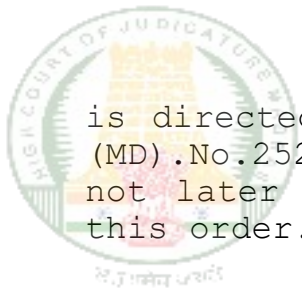
O R D E R

(Order of the Court was made by **M.DURAISWAMY, J.**)

The petitioner has filed the above writ petition to issue a writ of Mandamus directing the respondents 1 to 5, more particularly the respondents 2 and 3 to remove the encroachments made by the respondents 6 to 11 on the Highways and its rainy water channel in Survey No.252, Seepalakottai Road, Chinnamanur and also on the east and south of the petitioner's house comprised in S.No.328/1B, bearing Door No.16, 17th Ward, Seepalakottai Road, Min Nagar, Chinnamanur, Uthamapalayam Taluk, Theni District, by considering the petitioner's representation, dated 10.09.2019, within the time frame.

2. When the writ petition is taken up for hearing, the learned counsel appearing for the petitioner submitted that challenging the order passed by the third respondent, dated 14.11.2019, for evicting the 11th respondent in the present writ petition, she filed the writ petition in W.P.(MD).No.25227 of 2019 and the Hon'ble Division Bench of this Court, by order dated 27.11.2019, disposed of the writ petition with directions to the authorities. Further, the learned counsel for the petitioner submitted that in view of the order passed in W.P.(MD).No.25227 of 2019, the present writ petition may be closed.

3. Having regard to the submissions made by the learned counsel for the petitioner, since the Hon'ble Division Bench of this Court had already given directions to the authorities in W.P.(MD).No.25227 of 2019, the present writ petition is closed. The third respondent



is directed to comply with the order dated 27.11.2019 made in W.P. (MD).No.25227 of 2019 as expeditiously as possible, in any event, not later than eight weeks from the date of receipt of a copy of this order. No costs.

WEB COPY

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

akv

To

1.The Principal Secretary,
State Highways and Port Department,
Government of Tamil Nadu,
Fort St. George,
Chennai 600 009.

2.The Divisional Engineer,
Highways Department,
Theni District.

3.The Assistant Divisional Engineer (H),
Construction and Maintenance,
Uthamapalayam,
Theni District.

4.The District Collector,
Theni District,
Theni.

5.The Commissioner,
Chinnamanur Municipalaity,
Theni District.

+1 CC to Mr.M.KARUPPASAMY PANDIAN, Advocate (SR-104358[F] dated 11/12/2019)

+1 CC to SPL.GP SR-104508, 104678

+1 CC to Mr.D.ANBARASU, Advocate (SR-104575[F] dated 12/12/2019)

+1 CC to Mr.P.MAHENDRAN, Advocate (SR-104746[F] dated 12/12/2019)

W.P. (MD)No.23879 of 2019

10.12.2019

MK (20.12.2019) 3P 10C