



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.No.21191 of 2021

G.Rajkumar

...Petitioner

-VS-

1. The District Collector,
Tiruppur District.
2. The Tahsildar,
Kangeyam Taluk,
Tiruppur District.
3. The Divisional Engineer,
State Highways, Construction and Maintenance,
Dharapuram, Tiruppur District.
4. The Assistant Divisional Engineer,
State Highways,
Construction and Maintenance,
Vellakovil, Tiruppur District.
5. The Executive Engineer,
Public Works Department, Lower Bhavani
Irrigation Division, Konavaikkal, Erode.
6. Marimuthu
7. Kathirvel

...Respondents



Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 5 to remove the encroachment of the 6th and 7th respondents and others made in the margin of the State Highways Road (SH-84A) in Survey No. 543/B at Vaikkalmettupudur, Opp. to Sri Aanoor Matric Higher Secondary School, Muthur-Vellakovil Road, Kangeyam Taluk, Tiruppur District within the time limit to be stipulated by this court.

For the Petitioner : Mr.M.Vijayaragavan

For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for RR 1 to 5

ORDER

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

The petitioner complains of the private respondents having encroached on a State highway at survey no.543/B at Vaikkalmettupudur in Kangeyam Taluk of Tiruppur District.

2. Mr.P.Muthukumar, learned State Government Pleader, takes notice on behalf of the respondent Nos.1 to 5 and submits that the PWD authorities have inspected the place on July 29, 2021 and necessary steps are being taken to remove the encroachments.

3. Irrespective of what may already have been done, the petitioner is permitted to carry a detailed representation to the fourth respondent Assistant Divisional Engineer, Vellakovil, Tiruppur, within a fortnight from date, whereupon such official will cause an inspection to be made and, upon notice to the private respondents and any other who may have encroached into the road or any revenue land, will take immediate necessary steps in accordance with law. If any encroachment is found, the same should be removed as expeditiously as possible upon due notice to the encroachers.

4. Since no prejudice will be occasioned by this order to the private respondents and since the concerned official has



been required to issue notice to the private respondents before taking any action, the private respondents are not necessary to be served immediately. However, copies of the petition and this order should be forwarded by advocate for the petitioner to the private respondents as expeditiously as possible.

WP No.21192 of 2021 is disposed of without any order as to costs.

Sd/-
Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

sra

To:

1. The District Collector,
Tiruppur District.
2. The Tahsildar,
Kangeyam Taluk,
Tiruppur District.
3. The Divisional Engineer,
State Highways, Construction and Maintenance,
Dharapuram, Tiruppur District.
4. The Assistant Divisional Engineer,
State Highways,
Construction and Maintenance,
Vellakovil, Tiruppur District.
5. The Executive Engineer,
Public Works Department, Lower Bhavani
Irrigation Division, Konavaikkal, Erode.

+1cc to Mr.M.Vijayaragavan, Advocate, S.R.No.51212

W.P.No.21191 of 2021

VG-II(CO)
RLP(07/10/2021)