



WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 30.06.2021**

**CORAM:**

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM**

**and**

**THE HONOURABLE MRS.JUSTICE S.ANANTHI**

**W.P.[MD]No.17100 of 2012**

**and**

**M.P.[MD]No.1 of 2012**

M.Natarajan

... Petitioner

Vs.

- 1.The Division Engineer,  
Tamilnadu State Highways Department,  
Office at Sub-Collector Office Road,  
Dindigul.
2. The Assistant Executive Engineer,  
Tamilnadu State Highways Department,  
Trichy Road, Dindigul.
3. The Executive Officer,  
Eyirodu Town Panchayat,  
Eyirodu, Vedasanthur Taluk,  
Dindigul District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents from in any manner disturbing the petitioner's soft drinks and petty shop situate in Graman Natham in new Survey 1207/10 (old S.No.1143/2) of Eriyodu Village, Vedasanthur Taluk, Dindigul District, in the guise of removing encroachment in State High Way road.

For Petitioner

: Mr.H.Lakshmi Shankar

For Respondents

: Mr.A.K.Manikkam

Standing Counsel for Govt.

**O R D E R**

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.H.Lakshmi Shankar, learned Counsel appearing for the petitioner and Mr.A.K.Manickam, learned Standing Counsel for Government appearing for the respondents 1 to 3.



2.The petitioner has filed this Writ Petition seeking for a Writ of Mandamus, to forbear the respondents from in any manner disturbing the petitioner's soft drinks and petty shop situated in Graman Natham in new Survey 1207/10 (old S.No.1143/2) of Eriyodu Village, Vedasanthur Taluk, Dindigul District, in the guise of removing encroachment in State High Way road.

3.The Court having been satisfied that the petitioner has made out a prima facie case granted an order of interim injunction, which is in force till date. Therefore, it will be inequitable to disturb the status quo which is prevailing as on date.

4.Hence, the Writ Petition stands disposed of, by restraining the respondents from disturbing the petitioner's possession of the property in question without issuing notice to the petitioner, if still the need arises to do so. It is always open to the petitioner to raise all contentions which are available to him under facts and law as and when notices are issued. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

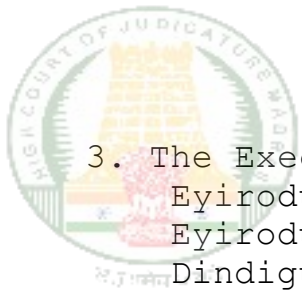
Sub Assistant Registrar(CS)

MR/kmm

**Note:** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

**To**

- 1.The Division Engineer,  
Tamilnadu State Highways Department,  
Office at Sub-Collector Office Road,  
Dindigul.
2. The Assistant Executive Engineer,  
Tamilnadu State Highways Department,  
Trichy Road, Dindigul.



3. The Executive Officer,  
Eyirodu Town Panchayat,  
Eyirodu, Vedasanthur Taluk,  
Dindigul District.

+1 CC to M/s.H.LAKSHMI SANKAR, Advocate ( SR-20833[F] dated  
01/07/2021 )

**ORDER MADE IN**  
**W.P. [MD]No.17100 of 2012**  
**30.06.2021**

AS(05.07.2021) 3P 5C