



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2021

CORAM

THE HONOURABLE MR.JUSTICE T. S. SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.5040 of 2021

WEB COPY

G.Shanmugasundar

... Petitioner

Vs.

1.The Director General,
Highways Department,
No.76, Sardar Patel Road,
Guindy, Chennai - 25.

2.The Divisional Engineer,
Highways Department,
TVS Toll Gate, Trichy - 20.

3.The Assistant Divisional Engineer,

Highways Department,
Construction and Maintenance,
TVS Toll Gate, Trichy - 20.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the Respondents to remove all encroachment at Vayalur Main Road, Tiruchirappalli based on petitioner's representation dated 10.02.2021 as contemplated under the provisions of Tamil Nadu State Highways Act, 2001, within the time limit as fixed by this Hon'ble Court.

For Petitioner : Mr.T.Senthil Kumar

For Respondent Nos.1 to 3 : Mr.K.P.Krishnadass
Special Government Pleader

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ORDER

(Order of the Court was made by T. S. SIVAGNANAM, J.)

The writ petitioner has filed this Writ Petition, seeking issuance of a Writ of Mandamus, directing the Respondents to remove all encroachment at Vayalur Main Road, Tiruchirappalli based on petitioner's representation dated 10.02.2021, as contemplated under the provisions of Tamil Nadu State Highways Act, 2001, within a time frame.

2.Learned Special Government Pleader appearing for respondents has produced a copy of the written instruction given by the Assistant Divisional Engineer, Highway, C & M,



Trichirappalli, wherein he has stated that show cause notices were issued to the encroachers on 19.01.2021 and since there was no response from the encroachers, final notice was issued on 10.02.2021. On 18.02.2021, a requisition was sent to all the departments for their support to evict the encroachment on 23.02.2021. However, due to election, the eviction could not have been carried on.

3.Now the elections are over. Therefore, we direct the respondents to proceed further pursuant to the final notice on 10.02.2021 and initiate appropriate action for eviction of unauthorised occupation within a period of three weeks from the date of receipt of a copy of this order.

4.The Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (Records)

/ True Copy/

/ /2021

Sub Assistant Registrar(CS)

sj

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 Director General,
Highways Department,
No.76, Sardar Patel Road,
Guindy, Chennai - 25.

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3.The Assistant Divisional Engineer,
Highways Department,
Construction and Maintenance,
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+1 CC to M/s.SPL GP (SR-16497[F] dated 19/04/2021)

W.P. (MD)No.5040 of 2021

17.04.2021

SSI (06.05.2021) 2P 5C

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