



WEB COPY

W.P.[MD]No.11836 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. [MD]No.11836 of 2021

K.Selvaraj

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Sub Collector,
Palani,
Dindigul District.

3.The Divisional Engineer,
National Highways Department,
No.83, Indragandhi 1st Street,
District Collectorate Office Opp,
Dindigul.

4.The Commissioner,
Ottanchatram Municipality,
Dindigul District.

5.S.Anandaraj

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment made by the 5th respondent for the under bridge of National High Way, the rain water runway by illegally blocked/stuffed through sand near the petitioner's agricultural land situated at Chellappagoundanpudur, Kollapatti Post, Oddanchatram Taluk, Dindigul District, based on the petitioner's representations dated 30.11.2020 and 24.12.2020.

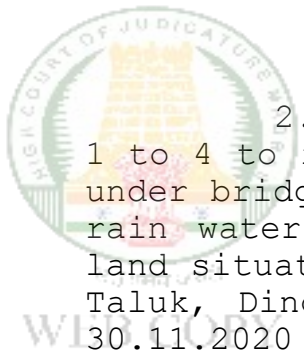
For Petitioner : Mr.R.Jagadeeswaran

For Respondents 1 & 2 : Mr.A.K.Manikkam
Standing Counsel for Government

ORDER

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

Heard Mr.R.Jagadeeswaran, learned counsel appearing for the petitioner and Mr.A.K.Manikkam learned Standing counsel for Government appearing for the respondents 1 and 2.



2.The petitioner seeks for a direction upon the respondents 1 to 4 to remove the encroachment made by the 5th respondent for the under bridge of National High Way, and illegally blocked/stuffed the rain water runway through sand near the petitioner's agricultural land situated at Chellappagoundanpudur, Kollapatti Post, Oddanchatram Taluk, Dindigul District, by considering his representations dated 30.11.2020 and 24.12.2020.

3.The learned counsel appearing for the petitioner submitted that a direction may be issued to the respondent to consider the petitioner's representation, wherein, they have brought out the flooding cost on account of blockage of the water flow under the National Highway, where pipes have been laid and the fifth respondent has blocked certain pipes with sand bags and other materials.

4.Considering the said submission, we direct the third respondent to consider the representations, dated 30.11.2020 and 24.12.2020 and pass orders on merits and in accordance with law, after conducting an inspection. In order to precipitate the compliance of this direction, the petitioner is directed to submit one more representation along with a copy of this order as well as the copy of the earlier representations and on receipt of the same, the third respondent shall inspect the property and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of the representation.

5.With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RM

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 District Collector,
Dindigul District,
Dindigul.



2.The Sub Collector,
Palani,
Dindigul District.

3.The Divisional Engineer,
National Highways Department,
No.83, Indragandhi 1st Street,
District Collectorate Office Opp,
Dindigul.

4.The Commissioner,
Ottanchatram Municipality,
Dindigul District.

+1 CC to M/s.SPL GP (SR-23177[F] dated 19/07/2021)

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RK (26.07.2021) 3P 6C