



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.(MD) No.15211 of 2019

R.Jegadeesan

.. Petitioner

Vs

1. The District Collector,
Trichy District, Trichy.
2. The Revenue Divisional Officer,
Musiri Revenue Division Office,
Musiri, Trichy District.
3. The Tahsildar,
Musiri Taluk Office,
Musiri, Trichy District.
4. The Divisional Engineer,
State Highways Department,
No.14, Abdul Salam Street,
Kajanagar, Trichy-20.
5. The Assistant Divisional Engineer,
State Highways Department,
Musiri, Trichy District.
6. The Assistant Engineer,
State Highways Department,
Musiri, Trichy District.

7. Sekar

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus directing the respondents 1 to 6 to remove the encroachment made by the seventh respondent in Survey No.183 classified as 'Salai' situated at Veeramanipatti



Village, Musiri Taluk, Trichy District on the basis of the petitioner's representation dated 23.10.2018 and 16.02.2019.

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For Petitioner

: Mr.K.Arunraj

For respondents

: Mr.R.Baskaran,
Standing Counsel for
Government
for R1 to R6

No Appearance for R7

ORDER

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

Heard Mr.K.Arunraj, learned counsel appearing for the petitioner and Mr.R.Baskaran, learned Government Counsel appearing for the respondents 1 to 6.

2. The petitioner has filed this writ petition praying for a direction upon the respondents 1 to 6 to remove the encroachment made by the seventh respondent in Survey No.183, classified as 'Salai' situated at Veeramanipatti Village, Musiri Taluk, Trichy District

3. The allegation is that the seventh respondent has encroached and put up a thatched construction in the Highways land. The writ petitioner's representation had evoked the respondents and by memo dated 29.11.2018, the petitioner was informed that after measuring the area, action would be taken. It appears that till date, no action has been taken.

4. Therefore, we direct the respondents 3 and 4 to take a joint inspection of the area and if it is found that any encroachment is there on revenue land, then the third respondent shall take action and if there is any encroachment in the Highways land, the fourth respondent shall take action.

5. In any event, before taking action, notice shall be issued to the seventh respondent and thereafter only action should be taken.



6. With the above directions, this writ petition stands disposed of. No costs.

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

pkn

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,
Trichy District, Trichy.
2. The Revenue Divisional Officer,
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Musiri, Trichy District.
3. The Tahsildar,
Musiri Taluk Office,
Musiri, Trichy District.
4. The Divisional Engineer,
State Highways Department,
No.14, Abdul Salam Street,
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5. The Assistant Divisional Engineer,
State Highways Department,
Musiri, Trichy District.



6. The Assistant Engineer,
State Highways Department,
Musiri, Trichy District.

+1 CC to SPL GP (SR-21217[F] dated 05/07/2021)

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