



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.18486 of 2014

(Through Video Conference)

WEB COPY

S.Santhanakumar

... Petitioner

Vs.

1.The Project Director,
National Highways Authority of India,
No.83/1, SBI first Colony Extension,
By Pass Road,
Madurai District.

2.The Executive Engineer,
O/o. The Executive Engineer,
National Highways Department,
Tuticorin District.

3.The Superintendent of Police,
O/o. The Superintendent of Police,
Tuticorin District.

4.The Inspector,
Ettayapuram Police Station,
Kanyakumari District.

5.P.Sivakumar

6.V.Palchamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 4 to remove the illegal encroachment made by respondents 5 and 6 in the lands adjoining the Survey No.158/2B, situated at Madurai - Tuticorin National Highway NH45B at Sinthalakarai Village, Ettayapuram Taluk, Tuticorin District within the time stipulated by this Court.

For Petitioner: Mr.T.Lajapathi Roy

For R-2 : Mr.P.Sundaravadivel

For RR 3 & 4 : Mr.K.P.Narayanakumar,
Additional Government Pleader

For RR 5 & 6 : Mr.K.K.Samy

O R D E R



This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents to remove the encroachment made by the fifth and sixth respondents in the lands adjoining the Highways.

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2. The learned counsel appearing on behalf of the fifth and sixth respondents submitted that there is no encroachment as on today and the sixth respondent also expired recently.

3. Recording the submissions of the learned counsel appearing on behalf of the fifth and sixth respondents, this writ petition is closed. It is made clear that if the encroachment continues, it is left open to the second respondent to take action in accordance with law for the removal of the encroachment. No costs.

Sd/-

Assistant Registrar (CSI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.*

Sts

To:

- 1.The Project Director,
National Highways Authority of India,
No.83/1, SBI first Colony Extension,
By Pass Road, Madurai District.
- 2.The Executive Engineer,
O/o. The Executive Engineer,
National Highways Department,
Tuticorin District.
- 3.The Superintendent of Police,
O/o. The Superintendent of Police,
Tuticorin District.



4.The Inspector,
Ettayapuram Police Station,
Kanyakumari District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-17042[F] dated
22/04/2021)

+1 CC to M/s.K.K.SAMY, Advocate (SR-17054[F] dated 22/04/2021)

+1 CC to M/s.SPL GP (SR-17372[F] dated 23/04/2021)

Order made in
W.P. (MD) No.18486 of 2014

Dated:
21.04.2021

GS (10.06.2021) 3P 8C