



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.05.2022

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.NO.12497 OF 2022
AND
W.M.P.NO.11965 OF 2022

Gunasekaran

... Petitioner

.Vs.

1. The District Collector,
Collectorate Building,
Namakkal, Namakkal District.

2. The Divisional Engineer,
Department of Highways,
Mohanur Road,
Namakkal - 637 001.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents herein from evicting/removing the petitioner from the subject property situated in Survey No.316 of Paramathi-Jedarpalayam Road (M-998) in the Saralaimedu-Kamarajar Nagar area of Jedarpalayam Village, Namakkal with an extent of 768 Sq.ft without giving an opportunity of hearing to the petitioner as directed by this Hon'ble Court in its order dated 08.12.2010 in W.P.No.9022 of 2008.

For Petitioner : Mr.M.Sricharan Rangarajan
For M/s.Athiban Vijay A.K.

For Respondents : Mr.A.Selvendran
Additional Government Pleader



O R D E R

(Order of the Court was made by G.R.SWAMINATHAN, J.)

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With the consent of the learned counsel for both sides, the writ petition is disposed of at the admission stage itself.

2. Heard Mr.M.Sricharan Rangarajan, learned counsel for the petitioner and Mr.A.Selvendran, learned Additional Government Pleader for the respondents.

3. The petitioner is said to be in occupation of a piece of land belonging to the State Highways, and he apprehends that he will be dispossessed without due process of law. The apprehension of the petitioner may not be well founded. It may be seen that vide order dated 08.12.2010 made in W.P.No.9022 of 2008, the Hon'ble First Bench has made a mandate that due process of law will have to be adopted.

4. Learned Additional Government Pleader appearing for the respondents states that due process of law will be followed while dealing with the petitioner. Recording such submission, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Vacation Officer

//True Copy//

Sub Assistant Registrar

KST

To

1. The District Collector,
Collectorate Building,
Namakkal, Namakkal District.
2. The Divisional Engineer
Department of Highways
Mohanur Road,
Namakkal - 637 001.

W.P.NO.12497 OF 2022

AD(CO)
PBS/20/05/2022