



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
AND
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.NOS.16283, 16369, 16286 OF 2021
AND
W.M.P.NOS.17234, 17239, 17344, 28736,
28744 AND 28750 OF 2021

S.Durairaj

... Petitioner in
W.P.No.16283 of 2021

V.Kalaiyarasn

... Petitioner in
W.P.No.16286 of 2021

V.Balamurugan

... Petitioner in
W.P.No.16369 of 2021

Versus

1. The Assistant Divisional Engineer,
The Assistant Divisional Engineer Office,
(Highways Construction & Maintenance),
Kodavasal, Tiruvarur District.
2. The State of Tamil Nadu,
PWD (Public Works Dept.),
Rep. by the Secretary to the Government,
Secretariat, Chennai - 600 009.
3. The Chief Engineer,
PWD (Public Works Dept.),
Ezhilagam, Kamarajar Salai,
Chepauk, Chennai 600 005.
4. The District Collector,
Collector Office,
Tiruvarur District.
5. The District Revenue Officer,
Revenue Department,
Tiruvarur District.



6. The Tahsildar,
Tahsildar Office,
Tiruvarur District.
7. The Divisional Engineer,
Divisional Engineer Office (Highways),
Construction and Maintenance,
Tiruvarur.
8. The Executive Engineer (Delta),
Public Works Department,
Cauvery Vadinelakottam,
Thanjavur.
9. The District Health Officer,
Health Department,
Tiruvarur District.
10. Marguerite Madarasi Joseph
11. The Chief Secretary to
Government of Tamil Nadu,
Secretariat, Chennai - 9.

... Respondents in
all the petitions

[R11, suo-motu impleaded, vide order
of this Court, dated 06.08.2021 in
WP.Nos.16283, 16286 & 16369 of 2021]

PRAYER IN W.P.NO.16283 & 16286 OF 2021:-

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned eviction notice of the first respondent dated 20.07.2021 and quash the same and direct the respondents 3 to 9 to issue notice to the petitioner herein for personal hearing as per direction of Division Bench of this Court in W.P.No.119445 of 2021, dated 13.05.2021.

PRAYER IN W.P.NO.16369 OF 2021:-

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned eviction notice of the first respondent dated 20.07.2021 issued in the name of Subramani and quash the same and direct the respondents 3 to 9 to issue notice to the petitioner herein for personal hearing as per direction of Division Bench of this Court in W.P.No.11945 of 2021, dated 13.05.2021.



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For petitioner : Mr.Thamizhavel
(in all the petitions)

For Respondents
(in all the petitions)

For RR1 to 9 & 11 : Mr.K.V.Sajeev Kumar

For R10 : Mr.P.Paul Selvam

C O M M O N O R D E R

(The Order of the Court was made by K.KALYANASUNDARAM, J)

These Writ Petitions are heard through video conferencing.

2. These Writ Petitions have been filed challenging the eviction notice issued by the first respondent dated 20.07.2021.

3. It is the case of the petitioners that the notice impugned in these Writ Petitions has been issued pursuant to the orders passed in W.P.No.11945 of 2021, however, without conducting any enquiry, as per the order of this Court. The first respondent/Assistant Divisional Engineer has filed a counter affidavit seeking permission to withdraw the impugned notice and take further action as per Section 28 (2) of the Highways Act.

4. In view of the above, these Writ Petitions are disposed of as per the undertaking given by the first respondent in his counter and he shall take further action in accordance with law under Section 28 (2) of the Act. Needless to mention that the directions issued in W.P.No.11945 of 2021 shall be scrupulously followed by the respondents. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

pvs



To

1. The Assistant Divisional Engineer,
The Assistant Divisional Engineer Office,
(Highways Construction & Maintenance),
Kodavasal, Tiruvarur District.
2. The Secretary to the Government,
The State of Tamil Nadu,
PWD (Public Works Dept.),
Secretariat, Chennai - 600 009.
3. The Chief Engineer,
PWD (Public Works Dept.),
Ezhilagam, Kamarajar Salai,
Chepauk, Chennai 600 005.
4. The District Collector,
Collector Office,
Tiruvarur District.
5. The District Revenue Officer,
Revenue Department,
Tiruvarur District.
6. The Tahsildar,
Tahsildar Office,
Tiruvarur District.
7. The Divisional Engineer,
Divisional Engineer Office (Highways),
Construction and Maintenance,
Tiruvarur.
8. The Executive Engineer (Delta),
Public Works Department,
Cauvery Vadinelakottam,
Thanjavur.



9. The District Health Officer,
Health Department,
Tiruvarur District.

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11. The Chief Secretary to
Government of Tamil Nadu,
Secretariat, Chennai - 9.

+3ccs to Mr.Thamizhavel, Advocate, S.R.Nos.6987 to 6989
+3ccs to Mr.P.Paul Selvam, Advocate, S.R.Nos.7142 to 7144
+1cc to the Government Pleader, S.R.Nos.7700 to 7702

W.P.NOS.16283, 16369, 16286 OF 2021

GMR (CO)
PBS/03/03/2022