



W.P.No.33990 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.33990 of 2022

R.Chinnusamy

.. Petitioner

Vs

- 1 The District Collector
District Collector Office, Erode.
- 2 The Tahsildar
Anthiyur, Erode District.
- 3 The Assistant Engineer
Highways Department
Anthiyur, Erode District.
- 4 Karuppayee
- 5 Easwari
- 6 Raman
- 7 Veeramani
- 8 Srinivasan



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9 Vijayan

10 Subramani

11 Kamaraj

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 3 to take appropriate action to remove the encroachment caused over the public road existing in RS No.418/1 at 28, Ammapettai B Village, Anthiyur Taluk, Erode District caused by respondents 4 to 11 within an appropriate time.

For the Petitioner : Mr.R.Nalliyappan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 to 3

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

R.Chinnusamy, son of Ramasamy, a resident of Uzhavan Nagar, Umareddiyur Post, Anthiyur Taluk, Erode District, has filed this writ petition stating that an encroachment has been made on the public road in Survey No.418/1 situated at No.28, Ammapettai B Village, Anthiyur Taluk.



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2. In support of the prayer made in the writ petition, learned counsel appearing for the petitioner has drawn our attention to a copy of the "A" register. On a perusal of the same, it is seen that the land shown in Survey No.418/1 has been classified as "road". Therefore, this Court is of the view that if any encroachment is made on the road in question as alleged by the petitioner, it is the bounden duty of the respondent authorities to remove the encroachment.

3. At this stage, learned State Government Pleader appearing for respondents 1 to 3 submitted that the respondent authorities will cause an inspection of the road in question and if any encroachment is found, the same will be removed within a period of four weeks.

4. Recording the submission made by learned State Government Pleader, we hereby direct the respondent authorities to cause an inspection of the road in question and, if any encroachment is found, the same shall be removed. The aforesaid exercise is directed to be completed within a period of four weeks from the date of receipt of a copy of this order.



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5. With the above observation and direction, the writ petition is disposed of. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
20.12.2022

Index : Yes/No
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To:

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Highways Department
Anthiyur, Erode District.



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