



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

AND

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. (MD) No. 9414 of 2022

and

W.M.P. (MD) No. 6757 and 6760 of 2022

Jesuraj

.. Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Sub-Collector Office Road,
Dindigul Town,
Dindigul District.

3.The Tahsildar,
Dindigul East Taluk,
Natham Main Road,
Dindigul Town,
Dindigul District.

4.The Assistant Divisional Engineer,
National Highway,
Dindigul,
Dindigul District.

5.Sahayaraj

.. Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of removal of encroachment notices issued by the fourth respondent herein in his proceedings memorandum No.9/2022/தேநெ/ உ / dated 18.04.2022 and consequential impugned notice-memorandum No.9/2022/ தேநெ/உ/ dated 25.04.2022 and quash the same as illegal and consequently direct the first respondent to consider the petitioner's representation, dated 21.03.2022 independently after affording sufficient opportunity to the necessary parties.

For Petitioner

: Mr.N.Anandakuma

For R1 to R4

: Mr.D.Ghandiraj

Special Government Pleader



O R D E R

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

The petitioner has come to this Court challenging the impugned proceedings, dated 18.04.2022 and 25.04.2022 respectively, calling upon him to remove the encroachment put up by him.

2. This Court has already passed two orders, dated 27.04.2018 in W.P(MD)No.10028 of 2018 and dated 20.07.2021 in W.P(MD)No.12163 of 2021. In that two writ petitions, the fourth respondent herein was the petitioner. W.P(MD)No.10028 of 2018 has been filed seeking writ of mandamus directing the respondents 1 to 4 therein to remove the encroachment in the left side of Dindigul to Devakottai Highway at Km 13/6 made by the respondents 5 to 8 therein by considering his representation. This Court, considered the prayer therein, directed the third respondent to consider the petitioner's representation, dated 21.07.2016 and pass orders on merits and in accordance with law, after giving notice to the respondents 5 to 8 therein. W.P.(MD)No.12163 of 2021 has been filed by the same person seeking writ of mandamus directing the respondents 2 and 3 therein to remove the encroachment in left side of the Dindigul to Karaikudi Road NH 383 Highways at km 13/6 to 13/8 made by the respondents 4 to 7 therein by considering his representation, dated 13.08.2020. This Court, by order, dated 20.07.2021 directed the first respondent to consider the representation and if there is any encroachment, then notice should be given to the encroachers and action be initiated for removing the encroachment in accordance with law.

3. Based on these orders, Peace Committee Meeting was conducted on 19.11.2021 and in the meeting the petitioner and other members undertake that they would remove the encroachment, but till date, the petitioner has not complied with the same. This writ petition is third round of litigation. It is for the official respondents to comply with the order dated 20.07.2021 passed in W.P(MD)No.12163 of 2021.

4. In view of the above, this writ petition is disposed of as the petitioner is wasting the Court time. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Vacation Officer/
Assistant Registrar (Records)

// True Copy //

/ /2022
Sub Assistant Registrar(CS)



To

1. The District Collector,
Dindigul District,
Dindigul.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Sub-Collector Office Road,
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Dindigul District.
3. The Tahsildar,
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Natham Main Road,
Dindigul Town,
Dindigul District.
4. The Assistant Divisional Engineer,
National Highway,
Dindigul,
Dindigul District.

+1 CC to M/s.SPL.GP (SR-23575[F] dated 09/05/2022)

W.P. (MD) No. 9414 of 2022
06.05.2022

SRR(CO)

GC(24.05.2022) 3P 6C