



W.P(MD) No.14076 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.10.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

**W.P.(MD) No.14076 of 2021
and W.M.P(MD) No.11045 of 2021**

M.S.Vadivelu

... Petitioner

-VS-

1. The District Collector,
Dindigul District, Collectorate,
Dindigul.

2. The Superintending Engineer,
Highways Department, Dindigul.

3. The Assistant Divisional Engineer,
Highways Department, Dindigul.

4. The Tahsildar,
Dindigul Taluk, Taluk Office, Dindigul.

5. The Inspector of Police,
Taluk Police Station, Dindigul.

6. The President,
Pallapatti Panchayat, Pallapatti,
Dindigul District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to remove the encroachment on the highways road in front of the petitioner's land in S.No.732/1B, Dindigul-Vathalakundu Road, Pallapatti Village, Dindigul with assistance of police, by considering the petitioner's representation dated 03.07.2021.

For Petitioner : Mr.S.Namasivayam

For Respondents : Mr.P.Thilak Kumar,
Government Pleader
for R1 to R4
Mr.T.Senthil Kumar
Additional Public Prosecutor for R5
Mr.A.Murali Kumar for R6

ORDER

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

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to remove the encroachment on the highways road in front of the petitioner's land in Survey No.732/1B, Dindigul-Vathalakundu Road, Pallapatti Village, Dindigul, by considering the petitioner's representation dated 03.07.2021.

2. In the counter-affidavit filed by the third respondent, it is stated that there is no encroachment as projected by the petitioner. However, the



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learned Government Pleader appearing for the respondents 1 to 4 submitted that necessary action would be taken for the removal of the encroachment, if any, as alleged by the petitioner.

3. Recording the aforesaid submission, this writ petition is disposed of directing the respondents 1 to 4 to remove the encroachments, if any, in the place in question, after affording sufficient opportunity to all the parties concerned and by following due process of law. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D., J.] [J.S.N.P., J.]
27.10.2022

Index : Yes / No
Internet : Yes / No
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To:

1. The District Collector,
Dindigul District, Collectorate,
Dindigul.
2. The Superintending Engineer,
Highways Department, Dindigul.



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3. The Assistant Divisional Engineer,
Highways Department, Dindigul.

4. The Tahsildar,
Dindigul Taluk, Taluk Office, Dindigul.



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