



W.P.(MD)No.22748 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2022

CORAM

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

W.P(MD)No.22748 of 2022

L.S.Moorthi

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Project Director, P.I.U.,,
National Highway Department of India,
New No.6 (Old No.44), First Floor - III Main Road,
Ponnagar, Trichy - 620 001.

3.The Authorized Officer,
National Highway Department of India,
Dindigul District.

4.The Executive Officer,
Municipality Office,
Ayyalur,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents to remove the encroachers at Chennai - Dindigul highway service road nearby Ayyalur Village, Vedasanthur Taluk, Dindigul District based on petitioner representation dated 20.06.2022.



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For Petitioner : Mr.R.M.Vigneshkumar

For 1st Respondent : Mr.P.Thilak Kumar
Government Pleader

For 2nd Respondent : Mr.P.Karthick
Standing Counsel

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ORDER

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

The petitioner has come forward with this writ petition praying to issue a Writ of Mandamus, directing the respondents to remove the encroachments at Chennai - Dindigul highway service road nearby Ayyalur Village, Vedasanthur Taluk, Dindigul District based on the petitioner's representation, dated 20.06.2022.

2. Heard Mr.R.M.Vigneshkumar, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader, who accepts notice on behalf of the first respondent and Mr.P.Karthick, learned Standing Counsel, who accepts notice on behalf of the second respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



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3. Pointing out that on Chennai - Dindigul highway service road, near Ayyalur Village, Vedasanthur Taluk, Dindigul District, some street vendors and others have encroached the service road by putting up tin and plastic sheds, the petitioner submitted a representation to the official respondents on 20.06.2022 to remove the said encroachments and pursuant to the same, though the second respondent – Project Director through his communication in NHAI/PD/TRY/NH83/T-D/2022 dated 21.07.2022, addressed to the petitioner, stated that they are taking action for removal of the encroachments in the location with the co-operation of the local authorities, according to the learned counsel for the petitioner, no further action has been taken.

4. Considering the submissions made by the learned counsel on either side, this writ petition is disposed of with a direction to the respondents to conduct a survey, after issuing notice to the petitioner and all the parties concerned, and thereafter, the respondents are directed to take necessary action for removal of the encroachments on Chennai - Dindigul highway service road, near Ayyalur Village, Vedasanthur Taluk, Dindigul



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District, after affording an opportunity of hearing to the petitioner

and 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.

[R.M.D., J.] [J.S.N.P., J.]
28.09.2022

Internet : Yes / No

Index : Yes / No

sj

To

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and

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sj

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