



W.P.(MD) No.6698 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.6698 of 2017

Chandravarnan

... Petitioner

Vs.

- 1.The District Collector,
Theni District.
- 2.The District Revenue Officer,
Theni District.
- 3.The Tahsildar,
Kottur Village,
Theni District.
- 4.The Chief Engineer,
National Highway Authority of India,
Chennai.
- 5.Suruliammal



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6.Peyathevar

7.Velchamy

8.Neethi

9.Rasu

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent Nos.1 to 4 to remove the encroachments in Theni - Kumuli National Highways, situated at South to Sri Gowriamman Kovil Street, Veerapandi village, Theni district by considering the petitioner's representation dated 08.02.2017.

For Petitioner : Mr.V.A.Dhana Aravindha Balaji

For Respondents : Mr.S.P.Maharajan,
Spl. Govt. Pleader for R1 to R4
Mr.M.Senthilkumar for R7 to R9
No Appearance for R5

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 respondent Nos.1 to 4, to remove the encroachment in Theni -



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WEB C Kumuli National Highways, situated at South to Sri Gowriamman Kovil Street, Veerapandi village, Theni District, by considering the petitioner's representation dated 08.02.2017.

2. It is the claim of the petitioner that the respondents 5 to 9 have encroached the lands adjacent to the National Highways in Theni - Kumuli National Highways, situated in S.No.860, in Veerapandi Village, Theni District. In this regard, though the petitioner made a representation on 08.02.2017 to the respondents 1 to 4, seeking to remove the aforesaid encroachment, till date, no steps have been taken by the respondents to remove the same. Hence, the petitioner has filed this Writ Petition.

3. The learned Government Pleader appearing for the respondents 1 to 4 submitted that the representation of the petitioner dated 08.02.2017 would be considered, if not considered earlier, by the official respondents and appropriate action will be taken to remove the encroachment, if any, by due process of law, within a time frame, for which, the learned counsel for the petitioner is agreeable.



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4. Recording the above submission, this Writ Petition is disposed of with a direction to the authorities concerned to consider and dispose of the representation of the petitioner dated 08.02.2017, if not considered earlier on merits and in accordance with law. If there is any encroachment in the place in question, the same shall be removed, 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 twelve (12) weeks from the date of receipt of a copy of this order. No costs.

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

18.11.2022

vsm



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To

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