



W.P.(MD) No.27235 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.27235 of 2022

Mathiyalagan

... Petitioner

Vs.

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Tahsildar,
Pattukottai Taluk Office,
Pattukottai, Thanjavur District.
- 3.The Divisional Engineer,
Construction and Maintenance,
Highways Department,
Thanjavur District, Thanjavur.
- 4.The Assistant Engineer,
Construction and Maintenance,



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Highways Department,
Travelers Bungalow,
Peravurani Town & Taluk,
Thanjavur District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 3 and 4 to remove the illegal encroachments on the Kalagam – Avudayar Kovil Highways Road in Kolakudi – Amarasimanthipuram Village within the time stipulated by this Court based on the petitioner's representation dated 11.12.2018.

For Petitioner : Mr.D.R.Murugesan

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

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 3 and 4 to remove the illegal encroachments on the Kalagam – Avudayar Kovil Highways Road in Kolakudi – Amarasimanthipuram Village, based on the petitioner's representation dated 11.12.2018, within a time frame.



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2. Heard Mr.D.R.Murugesan, learned counsel for the petitioner and Mr.G.V.Vairam Santhosh, learned Additional Government Pleader, who takes notice for the respondents.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4. It is the claim of the petitioner that some private individuals have made the aforesaid encroachment in the place in question and in this regard, though the petitioner made a representation on 11.12.2018 to the third respondent seeking to remove the aforesaid encroachment, till date, no steps have been taken by the third respondent to remove the said encroachment. Hence, the petitioner has filed this Writ Petition.

5. The learned Additional Government Pleader appearing for the respondents submitted that the representation of the petitioner dated 11.12.2018 would be considered by the official respondents and appropriate action will be



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taken to remove the encroachment, if any, in the place in question, for which, the learned counsel for the petitioner is agreeable.

6. 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 11.12.2018, on merits and in accordance with law. If there is any encroachment in the place in question, the authorities concerned shall remove the same, 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 (8) weeks from the date of receipt of a copy of this order. No costs.

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

01.12.2022

vsm



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