



WEB COPY



W.P.No.4479 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2023

CORAM

THE HON'BLE MR. JUSTICE C. V. KARTHIKEYAN

Writ Petition No.4479 of 2023

and

Writ Miscellaneous Petition No.4505 of 2023

S.Kalpana

... Petitioner

Versus

The Divisional Engineer,
The Division Engineer Office,
Tamil Nadu Road Sector Project-II,
Collectorate Building,
Tiruppur – 641604.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent its men or any other persons acting on their behalf from interfering with the peaceful possession and enjoyment of the petitioner's property situated at R.S.No.247/1, Natham R.S.No.661/1, Old Block No.3, Periyasemur Village, Erode Taluk, Erode District measuring an extent of 20,500 sq.ft without following due procedure of law.

For Petitioner : Mr.V.Balamurugane

For R1 : Mr.U.Baranidharan,
Government Advocate



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ORDER

The Writ Petition has been filed in the nature of a Writ of Mandamus seeking a negative relief namely, to forbear the respondent from interfering with possession of the petitioner with respect to the property at R.S.No.247/1, Natham R.S.No.661/1, Old Block No.3, Periyasemur Village, Erode Taluk, Erode District, measuring 20,500 sq.ft., without following due process of law.

2. The respondent has now followed the due process of law by issuing notice under Section 15 (2) of the Tamil Nadu Highways Act, 2000.

3. The petitioner has an obligation to reply such notice issued by due process of law.

4. Let the petitioner take up such steps and I am confident that the respondent would also address the representations of the petitioner in proper manner.

5. No further orders are required in this Writ Petition.



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6. The Writ Petition stands disposed of. No order as to costs.

Consequently, the connected miscellaneous petition stands closed.

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Index : Yes/No

Internet : Yes/No

To:

The Divisional Engineer,
The Division Engineer Office,
Tamil Nadu Road Sector Project-II,
Collectorate Building,
Tiruppur – 641604.

C.V.KARTHIKEYAN,J.



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