



W.P.No.17895 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.No.17895 of 2023

T.Vijayakumar

.. Petitioner

Vs.

1. The Secretary to Government
State Highways Department
Fort St. George
Chennai 600 009.
2. The Collector
The Collectorate of Tiruvallur
Tiruvallur District.
3. The Divisional Engineer
State Highways Department
Tiruvallur District.
4. The Sub Divisional Engineer
State Highways Department
Ponneri, Tiruvallur District.
5. The Tahsildar
Ponneri Taluk
Ponneri 601 204.

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6. Mahalingam

7. Balaraman

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents 1 to 5 to remove the encroachment comprised in S.No.227 of Alamathi Village, Ponneri Taluk, Tiruvallur District lying in Red Hills – Tiruvallur Highways which belong to State Highways Department within stipulated time fixed by this Hon'ble Court.

For the Petitioner : Mr.R.Rajesh

For the Respondents : Mr.P.Muthukumar
State Government Pleader
Assisted by
Mrs.R.Anitha
Special Government Pleader
for Respondents 1 to 5

Mr.P.Amarnath
for Respondent-7

Not ready in notice -
for Respondent-6

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.R.Rajesh, learned counsel for the petitioner,
Mr.P.Muthukumar, learned State Government Pleader, assisted by



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Mrs.R.Anitha, learned Special Government Pleader for the respondents 1 to 5 and Mr.P.Amarnath, learned counsel for the seventh respondent.

2. According to learned counsel for the petitioner, S.No.227 is a pathway and encroachment has been made on the same.

3. Learned Special Government Pleader, on instructions received from the Assistant Divisional Engineer (H), Construction and Maintenance, Ponneri Sub-Division, submits that notice was issued to the encroachers on 20.07.2023 to remove the encroachments on their own or else it would be removed. On that day, police protection was not available. A letter has been addressed to the Assistant Commissioner of Police to fix a date and provide sufficient protection for removal of encroachment.

4. Steps are being undertaken. The respondent authorities shall abide by the provisions of law while taking further steps.

5. The alleged encroachers may file their reply if they are so



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advised and as may be permissible under law.

6. The writ petition is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

14.08.2023

Index : Yes/No

Neutral Citation : Yes/No

kpl

To

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THE HON'BLE CHIEF JUSTICE
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P.D.AUDIKESEVALU, J.

(kpl)

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