



W.P.No.22446 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2023

CORAM :

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

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.22446 of 2023

M.Ravindran

.. Petitioner

Vs

1.The Superintendent of Police,
Salem District.

2.The Assistant Divisional Engineer,
Highways Department,
Sankagiri, Salem District.

3.The Revenue Divisional Officer,
Sankagiri, Salem District.

4.The Inspector of Police,
Magudanchavadi Police Station,
Salem District.

5.P.Karupannan

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India
seeking issuance of a writ of mandamus directing the respondents 1 to



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4 to remove the encroachments made by the fifth respondent as per the second respondent's notice dated 26.7.2022 vide Proceedings Ku.No.137/2022/ENiU.

For the Petitioner : Mr.S.Chendur Eashwaran
for Mr.E.C.Ramesh

For the Respondents : Mrs.R.Anitha
Spl. Government Pleader
for respondents 1 to 4

: Mrs.Tamilseveli
Santhanaraman
for Mr.M.Santhanaraman
for respondent No.5

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.S.Chendur Eashwaran, learned counsel for Mr.E.C.Ramesh, learned counsel for the petitioner; Mrs.R.Anitha, learned Special Government Pleader for respondents 1 to 4; and, Mrs.Tamilselvi Santhanaraman, learned counsel for Mr.M.Santhanaraman, learned counsel for the fifth respondent.



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2. According to learned counsel for respondent No.5, respondent No.5 is occupying the subject writ premises even prior to the construction of the highway. The property tax is paid by respondent No.5 regularly.

3. According to learned Special Government Pleader, notice was issued to respondent No.5 to remove the encroachment and further steps would be undertaken in accordance with law.

4. There are no documents to prove the ownership or the construction raised by respondent No.5. The notice is also issued to respondent No.5 for removal of encroachment. In fact, it is a lethargy on the part of the Government.

5. However, considering the request made by respondent No.5, we direct that if respondent No.5 does not vacate the subject writ premises within six weeks from today, then the State shall proceed ahead for removal of the encroachment in accordance with



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law.

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6. With these observations, the writ petition stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

16.10.2023

Index : Yes/No
Neutral Citation : Yes/No
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To

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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

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