



W.P. No.34749 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 02.01.2023

CORAM
THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No.34749 of 2022

N.Ayyanar ... Petitioner

Vs

- 1 The Chief Engineer (Zone)
Highways Department
Cudalore - 607 001.
- 2 The District Collector
Cuddalore District.
- 3 The Tahsildar
Panruti, Cuddalore District.
- 4 The Block Development Officer
Panruti, Cuddalore District.
- 5 G.Gurumoorthy
- 6 D.Sivakumar
- 7 D.Saravanan

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment made by respondents 5 to 7 in the Highways based upon the petitioners representation dated 19.9.2022.

For the Petitioner : Mr.M.Manimaran

For the Respondents : Mr.P.Muthukumar,



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State Government Pleader,
for the fourth respondent

Mr.J.Ravindran,
Additional Advocate-General
assisted by – Mr.A.Selvendran,
Special Government Pleader,
for respondents 1 to 3

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition for the issuance of a Writ of Mandamus directing respondents 1 to 4 to remove the encroachment made by respondents 5 to 7 in the Highways based upon the petitioner's representation dated 19.9.2022.

2. Learned counsel for the petitioner took us through the photographs annexed at page 39 of the typed set of papers to show the encroachments. Encroachments could be seen on the verge of the road and if the Highways Department wants to widen the road in future, definitely, these encroachments would prove to be a hindrance.

3. Mr.P.Muthukumar, learned State Government Pleader accepts notice on behalf of the official respondents and submits that respondents 3 and 4 would jointly survey the land. In the survey to be undertaken by respondents 3 and 4, if



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the respondents come to the conclusion that encroachment is made, respondents 3 and 4 would take steps to remove the same. If the land falls within the jurisdiction of Highways Department, the first respondent would be informed and given all assistance to remove the encroachment. Learned Government Pleader submits that the entire exercise would be completed within six weeks from the date of receipt of a copy of this order.

4. Recording the above submission of the learned State Government Pleader, this writ petition is disposed of. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
02.01.2023

Index: Yes/No
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To

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Highways Department, Cuddalore - 607 001.
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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY, J.

(tar)

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