



WP(MD). No.19828 of 2013

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction**

Friday, the Eighth day of December Two Thousand and Twenty Three

PRESENT

**The Hon`ble Mr.Justice S.M.SUBRAMANIAM
AND
The Hon`ble Mr.Justice V. LAKSHMINARAYANAN**

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Mr. N. Mohamed Farook
Correspondent
Naina Mohamed College of Arts
and Science Rajendrapuram
Aranthangi Taluk
Pudukottai District.

... Petitioner

Vs

1 The Assistant Divisional Engineer
(Highways)
Cosntruction and Maintenance
Aranthangi Pudukottai District.

2 The Tahsildar
Aranthangi Taluk Pudukottai District.

3 The Superintending Engineer,
State Highways Department
Tiruchirappalli.
(R3 is Suo Motu Impleaded Vide Court Order
Dated.30.10.2023 in WP(MD).19828/2013)

... Respondents



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Prayer :-

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Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records to the impugned order passed by the 1st respondent in his proceedings in Na.Ka.No. Encroachments 273/2013/A2 dated 28.11.2013 and quash the same as illegal.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.D.Kirubakaran Advocate for the Petitioner and of Mr.S.Shanmugavel Addl. Government Pleader for the Respondents, this Court made the following order:

"[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The learned counsel appearing on behalf of the petitioner has made a submission that in response to the undertaking given by the petitioner, they had removed the compound wall from the property belongs to Highways Department. The compliance report filed by the 1st respondent reads as under:-

"4.I further submit that as per the order of Hon'ble High Court in the above said Writ Petition, the petitioner themselves demolished the compound wall and informed us through a Letter dated 27.11.2023. On 01.12.2023 at 11.00 a.m., myself, Road Inspector and other staffs of Highways Department were present at Rajendrapuram Village in Survey No.96/1 for



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inspection. The Tahsildar of Aranthangi also inspected the above said property along with Revenue Inspector of Silatur Firka Village Administrative Officer along with Village Assistant-Rajendrapuram and Firka Surveyor of Silatur. In the presence of the Writ Petitioner, the property was surveyed and the encroached part has been identified, recovered and boundary stones were placed and 30 Saplings planted. This Hon'ble High Court also ordered for reporting Compliance on 08.12.2023."

2.In view of the compliance report filed by the 1st respondent, no further orders are required in this petition. The authorities are directed to ensure that the properties belongs to the Highways Department are maintained free from encroachments and unauthorized constructions."

Sd/-

Assistant Registrar(CS- I)

// True Copy //

/12/2023

Sub Assistant Registrar(CS)

TO

1. The Assistant Divisional Engineer
(Highways)
Cosntruction and Maintenance
Aranthangi Pudukottai District.
2. The Tahsildar
Aranthangi Taluk
Pudukottai District.



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3. The Superintending Engineer,
State Highways Department
Tiruchirappalli.

+ CC to MR.D.Kirubakaran Advocate CA SR No.55885/2023

ORDER DATED : 08/12/2023

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ORDER

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SI (20.12.2023) 4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.