



W.P(MD)No.16014 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2023

WEB COPY

CORAM:

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE D.BHARTHA CHAKRVARTHY**

W.P(MD)No.16014 of 2023

A.Iniyan

... Petitioner

Vs.

- 1.The District Collector,
Madurai District, Madurai.
- 2.The Commissioner,
Madurai Corporation, Madurai.
- 3.The Divisional Engineer,
Tamil Nadu State Highways Department,
(Construction and Maintenance),
Madurai District, Madurai.

4.Shankar Pandi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the fourth respondent in State Highway Urban No.73 situated in front of Door No.3, TPK Road (opposite to Periyar Bus Stand Shopping Complex) Madurai by considering the representation of the petitioner dated 12.06.2023.



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For Petitioner
For R-1 & R-3

:Mr.K.Jeyamohan
:Mr.P.Thilak Kumar,
Government Pleader

For R-2

:Mr.K.K.Kannan

ORDER

(Order of the Court was made by S.VAIDYANATHAN, J.)

The petitioner has come forward with this writ petition seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 3, to remove the encroachment made by the fourth respondent in State Highway Urban No.73, situated in front of Door No.3, TPK Road (opposite to Periyar Bus Stand Shopping Complex), Madurai, by considering the representation of the petitioner, dated 12.06.2023.

2. When the matter is taken up for hearing today, the learned Standing Counsel appearing for the second respondent Corporation, would submit that notice had already been issued to the encroachers, who have put up petty shops in the land belongs to the Highways Department. He would further submit that steps have been taken to remove the encroachments. Since no adverse orders are passed against the private party to this W.P., notice is dispensed with.

3. We make it clear that if there is no hacking zone, necessary order will



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have to be passed and encroachment will have to be removed after hearing the parties concerned. Such exercise shall be completed within a period of one month from the date of receipt of a copy of this order. No Costs.

[S.V.N.,J.] [D.B.C.,J.]
03.07.2023

Index:Yes/No

NCC:Yes/No

PM

To:

- 1.The District Collector,
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AND

D.BHARATHA CHAKRVARTHY, J.

PM

ORDER MADE IN

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