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W.P.(MD) No.17593 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.(MD) No.17593 of 2023

C.Vasanthi

... Petitioner

-vs-

1.The District Collector
Collectorate
Madurai – District

2.The Tahsildar
Tahsildar Office
Usilampatti – Taluk
Madurai – District

3.The National Highways Authority
Lake Area Main Road
TTC Nagar, Uthankudi
Madurai – District

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents herein more particularly respondents 1 to 3 herein to consider petitioner's representation dated 02.05.2023 and take immediate action to remove the encroachments in the Madurai to Usilampatti National Highways in Chellampatti Village Panchayat.

For Petitioner : Mr.V.Balasubramanian

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 & R2

ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

The petitioner has filed this writ petition for removal of encroachments in a National Highways.

2. Mr.P.Thilakkumar, learned Government Pleader, who takes notice for the respondents 1 & 2, on instructions, states that the road, from which removal of encroachment is sought for by the petitioner, is a State Highways.



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3. This Court finds that the petitioner has not even impleaded the alleged encroachers as party respondents to the proceedings. Therefore, this writ petition is dismissed for non-joinder of necessary and proper parties. However, liberty is given to the petitioner to file a writ petition afresh, after impleading necessary and proper parties. No costs.

[S.S.S.R., J.]

[D.B.C., J.]

21.07.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

krk

To:

1.The District Collector,
Collectorate,
Madurai – District.

2.The Tahsildar,
Tahsildar Office,
Usilampatti – Taluk,
Madurai – District.



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