



W.P(MD)No.25011 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25011 of 2023

and

W.M.P.(MD)No.21200 of 2023

Karthik Kumar S.Krishnamoorthi,
Rep. by his Power Agent,
D.S.M.Raja Pandian.

... Petitioner

Vs.

- 1.The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli.
- 2.The Director General,
Office of the Director General (Highways),
Integrated CE Office, HRS Campus,
76, Sardar Patel Road, Guindy,
Chennai 600 025.
- 3.The Divisional Engineer,
State Highways,
Tirunelveli Division,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the



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respondents to remove illegal construction on the petitioner's patta land in Survey No.493/1/1B, Ward No.BM, Kulavanigarpuram, Part 3, Ward 7 of Kulavanigarpuram Village, Tirunelveli District and forbearing the respondents from engaging in road laying or extension work through the said lands without following the procedure established by law.

For Petitioner : Mr.Ajmal Khan, Senior Counsel,
For M/s.Ajmal Associates.

For Respondents : Mr.S.RA.Ramachandran,
Addl. Government Pleader for R2.

ORDER

Heard the learned senior counsel for the writ petitioner and the learned Additional Government Pleader for the second respondent.

2.It is beyond dispute that petition mentioned survey number belongs to the writ petitioner. The petitioner alleges that while carrying out the petition mentioned construction work, his land has been encroached. The respondents categorically state that there is no proposal to put up any construction on the petitioner's petition mentioned patta land. If they have done so, it shall be removed forthwith. The



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respondents are restrained from laying any road or putting up any kind of construction on the petition mentioned patta land.

3.This writ petition is allowed accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

13.10.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

The Director General,
Office of the Director General (Highways),
Integrated CE Office, HRS Campus,
76, Sardar Patel Road, Guindy,
Chennai 600 025.



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G.R.SWAMINATHAN, J.

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