



WEB COPY



W.P. No.18444 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2024

CORAM :

THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.18444 of 2024

Panneerselvam

Petitioner

v

- 1 The District Collector
O/o the District Collector
District Collectorate Campus
Salem – 3
- 2 The District Revenue Officer
O/o the District Collector
District Collectorate Campus
Salem – 3
- 3 The Revenue Divisional Officer
O/o The Revenue Divisional Office
Attur
Salem District
- 4 The Tahsildar
The Pethanaichkenpalayam Taluk Office
Pethanaichkenpalayam Village
Salem District
- 5 The Assistant Director
Rural Development Department
Salem



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- 6 The Block Development Officer (Ki.Oo)
Panchayat Union
Pethanaichkenpalayam
Salem District
- 7 The Divisional Engineer
Highways Department (C & M)
Salem
- 8 The Assistant Divisional Engineer
Highways Department (C & M)
Attur
Salem District
- 9 The Executive Engineer
O/o the Executive Engineer
Highways Department
Tourist Bungalow
Attur Town and Village
Salem District
- 10 Senthil Kumar
- 11 Murugan

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 9 to conduct a full-fledged survey and ascertain the Highway boundaries of tar road and Keelavethi at Palaniyapuri Village, and thereby remove the encroachments made by the 11th respondent and adjacent residents in S.No.70/1 and Old S.No.34/1 and encroachments made by the 10th respondent and adjacent residents in S.No.76/28 in the tar



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road of Palaniyapuri Village after removing the encroachments from Keelavethi and tar road at Palaniyapuri Village, Salem District as it existed earlier enabling the petitioner, entire villagers and the general public to utilise Keelavethi thar road pursuant to the petitioner's representation dated 20.09.2023 made to the respondents 1 to 9 within a stipulated time.

For petitioner Mr. S. Srinivasan
For RR 1 to 9 Mr. Karthik Jagannath
 Government Advocate

ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed seeking a writ of mandamus directing the respondents 1 to 9 to conduct a full-fledged survey and ascertain the Highway boundaries of tar road at Keelavethi in Palaniyapuri Village, and thereby remove the encroachments made by the 11th respondent and adjacent residents in S.No.70/1 and Old S.No.34/1, and also the encroachments made by the 10th respondent and adjacent residents in S.No.76/28 in the tar road of Palaniyapuri Village and bring the said roads to the state as they existed earlier, within a stipulated time, pursuant to the petitioner's representation



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dated 20.09.2023 made to the respondents 1 to 9, thereby enabling the petitioner, the villagers and the general public to utilise Keelavethi tar road.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for respondents 1 to 9. Notice to the private respondents is dispensed with inasmuch as no order prejudicial to their interest is passed.

3. The learned Government Advocate, based on written instructions from the authorities, brought to the notice of this Court that the authorities are already on the move to remove the encroachments as projected by the petitioner.

4. Recording the aforesaid submission of the learned Government Advocate, this Court directs the first respondent to clear the encroachments as expeditiously as possible.



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No costs.

(R.M.D., A.C.J.) (M.S.Q., J.)
10.07.2024

Index : Yes/No
NC : Yes/No
cad

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