



WEB COPY



W.P.No.25019 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2024

CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

W.P. No.25019 of 2019
and
W.M.P.No.24594 of 2019

ALFA Engineering
Represented by its partner
Badurunnisa Mahadevan

... Petitioner

Vs.

1.The District Collector,
Vellore District,
Vellore.

2.The Revenue Divisional Officer,
Office of the Revenue Division,
Ranipet, Vellore District.

3.The Tahsildar,
Wallajah, Vellore District.

4.The Assistant Divisional Engineer (H) Office,
Construction and Maintenance, Wallajah,
Vellore – 632 513.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, for issuance of writ of Certiorari, calling for the records on the file of the 4th

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respondent in Notice No.228(21)/2018/I.N.U./Date:31.07.2019 and quash the same.

For Petitioner : Ms.S.Gajalakshmi
for Mrs.Reshmi Christy

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

(Order of the Court delivered by S.M.SUBRAMANIAM,J.)

The notice issued under Section 28(2)(ii) of the Tamil Nadu National Highways Act, 2001 is under challenge in the present writ proceedings.

2. The Competent Authorities of the Highways Department identified the encroachments in the State Highways properties. Thus, the impugned notice was issued to the petitioner/company to remove the encroachments. Therefore, the petitioner/company has chosen to file the present writ petition.

3. In view of the fact that the competent Authorities of the Highways Department are empowered to conduct survey and identify the



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encroachments in the Highways properties and evict the encroachers by following the procedures, the claim of the petitioner/company deserves no merit consideration. However, the petitioner/company is at liberty to submit its objections if any within a period of 10 days from today (i.e.) 22.02.2024. On receipt of any such objections, the Authorities competent may consider and thereafter, take a decision and proceed with the eviction of encroachments in the Highways properties. The said exercise is directed to be completed within a period of twelve weeks from the date of receipt of a copy of this order.

4. Accordingly, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S.J.] [K.R.S.J.]
22.02.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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