



WP No.28014 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.28014 of 2019

M.Kaliyappan

.. Petitioner

-VS-

1. The District Collector,
Namakkal District, Namakkal.
2. The Revenue Divisional Officer,
Tiruchengode, Namakkal District.
3. The Tahsildar,
Tiruchengode Taluk,
Namakkal District.
4. The Divisional Engineer,
Department of Highways,
Namakkal Division, Namakkal.
5. Sengottuvel
6. Sengottuvel
7. Kadirvel
8. Sakthi
9. Palaniappan
- 10.Ravichandran

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to evict the encroachment made in Survey Nos.13, 14, 15, 16 in the Kovilpayalam Village, Perundurai Taluk and Survey Nos.45, 126, 132, 133, 134, 135,190, 191, 193 in the Pethampalayam Village at Perundurai Taluk as per Section 6 of Tamilnadu Land Encroachment Act, 1905.

For the Petitioner : Mr.C.Pushparaj
for Mr.E.P.Senniyangiri

For the Respondents : Mr.T.K.Saravanan
Govt. Advocate for RR 1 to 4
: Mr.R.Jayaprakash for RR 8 and 9
: No appearance for RR 5, 7 and 10
: Not ready in notice reg. R-6

* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.C.Pushparaj, learned counsel for the petitioner, Mr.T.K.Saravanan, learned Government Advocate for respondent Nos.1 to 4 and Mr.R.Jayaprakash, learned counsel for respondent Nos.8 and 9.

2. Encroachment is alleged on the highway.



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3. The counter-affidavit is filed by the 4th respondent on 25.10.2019 stating that on 17.10.2019, in the presence of the police officials and the revenue officials, the Highways Department officials have removed the entire encroachment made by the private respondents in S.No.33 of Pullagoundampatti Village, Tiruchengode District, Namakkal District.

4. Today also, the status report is filed reiterating that the encroachment has been removed on 17.10.2019.

In light of the above, the purpose of the writ petition does not survive. The writ petition is, accordingly, disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

14.02.2024

Index : Yes/No

Neutral Citation : Yes/No

sra



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sra)

To

1. The District Collector,
Namakkal District, Namakkal.
2. The Revenue Divisional Officer,
Tiruchengode, Namakkal District.
3. The Tahsildar,
Tiruchengode Taluk, Namakkal District.
4. The Divisional Engineer,
Department of Highways, Namakkal Division, Namakkal.

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