



WP No.33106 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Kennedy Philip

.. Petitioner

-VS-

1. The State of Tamil Nadu,
Rep. by its Secretary,
Department of Highways and Minor Ports,
Fort St. George, Chennai 600 009.
2. The District Collector,
Collectorate, Mayiladuthurai District.
3. The Revenue Divisional Officer,
Sirkali, Mayiladuthurai District.
4. The Tahsildar,
Tharangampadi Taluk,
Mayiladuthurai District.

5. Gunalan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to remove the encroachment made in the North-South Nalladai-Sembanarkovil public road in Survey no.502, adjoining Survey No.285/8A1A at



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Thiruvilaiyattam Village, Tharangambadi Taluk, Mayiladuthurai District.

For the Petitioner : Mr.A.Mohamed Ismail
For the Respondents : Mr.A.Edwin Prabakaran
State Government Pleader,
Assisted by Mr.T.K.Saravanan
Govt. Advocate for RR 1 to 4
: Mr.S.Senthilnathan for R-5

* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.A.Mohamed Ismail, learned counsel for the petitioner, Mr.A.Edwin Prabakar, learned State Government Pleader, assisted by Mr.T.K.Saravanan, learned Government Advocate, for respondent Nos.1 to 4 and Mr.S.Senthilnathan, learned counsel for respondent No.5.

2. The learned State Government Pleader submits that on 18.12.2023, notice is already issued to respondent No.5 for removal of encroachment.



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3. The learned counsel for respondent No.5 submits that it is a case of private dispute.

4. The authorities have already issued notice for removal of encroachment. The authorities may take further steps in accordance with law by observing principles of natural justice expeditiously.

With this observation, the writ petition is disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

07.02.2024

Index : Yes/No

Neutral Citation : Yes/No

sra

To

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(sra)

3. The Revenue Divisional Officer,
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