



W.P.(MD)No.20463 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

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Alaguraja

... Petitioner

-VS-

1.The District Collector,
Theni District
Theni

2.The Assistant Divisional Engineer,
Highways Department,
Theni,
Theni District

3.The Tahsildar,
Andipatti Taluk,
Theni District.

4.The Block Development Officer,
Maarikundu Panchayat Union,
Andipatti Taluk,
Theni District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the Respondents herein to remove the encroachment made in Erathimakalpatti bus stop situated at Erathimakalpatti, Marikundu, Andipatti Taluk, Theni District by considering their representation dated 03.04.2023 within the time limit that may be stipulated by this Hon'ble Court.



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For Petitioner : Mr.A.S. Vaigunth
For Respondents : Mr.S.P.Maharajan
Special Government Pleader

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ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

The prayer in the writ petition reads as follows:

“To issue a Writ of Mandamus, directing the Respondents herein to remove the encroachment made in Erathimakalpatti bus stop situated at Erathimakalpatti, Marikundu, Andipatti Taluk, Theni District by considering their representation dated 03.04.2023 within the time limit that may be stipulated by this Hon'ble Court.”

2. Mr.S.P.Maharajan, learned Special Government Pleader has produced the records relating to the action taken after he took notice in the writ petition on 28.08.2024. A perusal of the papers demonstrates that the Tahsildar, Andipatti, has surveyed the land and marked the encroachments. It is found that there are about 19 encroachments in the land, that is classified as road. It is also seen that the Assistant Engineer, Highways Construction and Maintenance, Andipatti, has issued notices to



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the encroachers under Section 28 of the Tamil Nadu Highways Act, 2001.

In view of the action taken, it is deemed unnecessary to issue the mandamus as sought for. The respondents shall pursue the action taken to its logical conclusion.

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

[R.S.M., J.]

[L.V.G., J.]

12.09.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
Sml

To

- 1.The District Collector,
Theni District
Theni
- 2.The Assistant Divisional Engineer,
Highways Department,
Theni,
Theni District
- 3.The Tahsildar,
Andipatti Taluk,
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