



W.P(MD)No.26663 of 2022

WEB COPY **BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED :20.03.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.26663 of 2022

S.Maranttan

... Petitioner

vs.

- 1 The District Collector,
Madurai District Madurai
- 2 The Thasildar,
Vadipatti Taluk,
Madurai District.
- 3 The Divisional Engineer,
Construction and Maintenance (Highway) Department,
Madurai -2
- 4 The Assistant Divisional Engineer,
Construction and Maintenance
(Highway) Department,
Vadipatti,
Madurai District.
- 5 The Head Surveyor,
Vadipatti Taluk, Vadipatti, Madurai District. ... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to remove the encroachments made on the road margin area called as Peranai

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road towards Mullipallam to Chithathipuram Village situated in Mullipallam Village, Vadipatti Taluk, Madurai District, based on the communication of the 3rd and 4th respondents in Ka.No.2803/2021/A2/ dated 17.12.2021 and Ka.No.207/2021Ee.Va.Aa/dated 10.12.2021.

For Petitioner : Mr.S.Vellaichamy
For Respondents : Mr.P.Thilak Kumar,
Government Pleader

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus, directing the respondents to remove the encroachments made on the road margin area called as Peranai road towards Mullipallam to Chithathipuram Village situated in Mullipallam Village, Vadipatti Taluk, Madurai District, based on the communication of the 3rd and 4th respondents in Ka.No.2803/2021/A2/ dated 17.12.2021 and Ka.No.207/2021Ee.Va.Aa/dated 10.12.2021.

2. When the writ petition is taken up for hearing today, learned Government Pleader, on instructions, would submit that the subject place has been surveyed with the assistance of Head Surveyor, Vadipatti Taluk and it is



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identified that there are 128 encroachers in the aforesaid place in question and the said encroachers are not parties to this writ petition.

3. In view of the above, the third respondent is directed to serve notice to the encroachers in the aforesaid place in question and thereafter, take necessary action for removal of encroachments, by following due process of law after providing opportunity to the encroachers concerned. Such exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

With the above direction, this writ petition stands disposed of.
No Costs.

[D.K.K.,J.] [R.V.,J.]

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NCC : Yes / No
Index : Yes / No
PM



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D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

PM

ORDER MADE IN
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