



W.P.No.10115 of 2020

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.10115 of 2020

&

W.M.P.Nos.12297 of 2020 & 25078 of 2021

M.Subramani Raju

.. Petitioner

Vs.

1. The Assistant Divisional Engineer
(Highways), C&M Office
Pallipattu Sub Division
Pallipattu, Tiruvallur District.

2. J.Kothandaraman

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorari calling for the entire records relating to the impugned order passed by 1st respondent in his proceedings No.13/2019/P1 dated 13.07.2020 and quash the same.



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For Petitioner : Mr.C.Prakasam
For Respondents : Mr.A.Edwin Prabakar
State Government Pleader
for Respondent-1

ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

A seriously disputed question of fact with regard to encroachment is being raised by petitioner.

2. Reply of first respondent is to the effect that petitioner, while raising construction, has not only made illegal construction, but has encroached upon the width of the road. This is based on spot inspection and survey conducted.

3. The dispute which is being raised by petitioner is purely of facts, which cannot be gone into.

4. Petition is dismissed. Interim order stands vacated. This



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order shall not come in the way of petitioner taking any other remedy, including filing of suit. There shall be no order as to costs. Consequently, the interim applications are also dismissed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
19.09.2025

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

The Assistant Divisional Engineer
(Highways), C&M Office
Pallipattu Sub Division
Pallipattu, Tiruvallur District.



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(kpl)

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