



W.P.(MD) No.3035 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 10.02.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.3035 of 2025

and

W.M.P.(MD)Nos.2107 &2108 of 2025

S.Jesuraj

... Petitioner

-Vs-

1.The Assistant Divisional Engineer,
Highways Department,
(Construction and Maintenance),
Authoor, Dindigul District.

2.The Assistant Engineer,
Highways Department,
(Construction and Maintenance),
Authoor, Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned eviction notice issued by the 1st respondent in Ku.No.18/E.Va.A/2025, dated 08.01.2025 in respect of the petitioner's patta land and quash the same as illegal and for other reliefs.



WEB COPY



W.P.(MD) No.3035 of 2025

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.J.Ashok,

Additional Government Pleader

ORDER

[Order of the Court was made by *J.NISHA BANU, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.The eviction notice dated 08.01.2025 issued by the 1st respondent is under challenge in this Writ Petition.

3.Mr.J.Lawrance, learned counsel appearing for the petitioner would submit that the impugned eviction notice is issued to various persons, those who have encroached the land classified as Highways Poramboke. However, there is no mentioning about the survey number, where the encroachments have been made.

4.Mr.J.Ashok, learned Additional Government Pleader, who takes notice for the respondents, fairly submits that there is no survey number mentioned in the eviction notice. Therefore, fresh notice along with all particulars, including survey number would be issued to the petitioner.



W.P.(MD) No.3035 of 2025

5.We have heard the learned counsel on either side and perused the materials available on record, particularly, impugned eviction notice of the 1st respondent dated 08.01.2025.

6.A perusal of the eviction notice would show that the encroachment made on the road margin, which is obstructing the road widening work from Veerakkal Koothampatti Stretch ie., $\frac{1}{4}$ km to 2/0 km at Veerakkal, Koothampatti and from $\frac{3}{4}$ km to 4/0 km upto Vannampatti is directed to be removed within a period of 15 days. However, the said impugned eviction notice is bereft of particulars in respect of survey number. Therefore, on this ground, the same is liable to be set aside, accordingly, it is set aside. However, the 1st respondent is at liberty to issue fresh notice to the encroachers by mentioning the survey number.

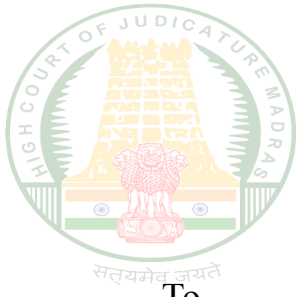
7.With the above direction, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

[J.N.B., J.] & [L.V.G., J.]
10.02.2025

NCC : Yes / No
Index : Yes / No

Yuva

Page 3 of 5



W.P.(MD) No.3035 of 2025

To

WEB COPY

1. The Assistant Divisional Engineer,
Highways Department,
(Construction and Maintenance),
Authoor, Dindigul District.

2. The Assistant Engineer,
Highways Department,
(Construction and Maintenance),
Authoor, Dindigul District.



WEB COPY



W.P.(MD) No.3035 of 2025

J.NISHA BANU, J.
AND
L.VICTORIA GOWRI, J.

Yuva

W.P.(MD)No.3035 of 2025

10.02.2025