



**W.P(MD)Nos.9718 & 11356 of 2019**

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

**DATED : 05.08.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM  
and  
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)Nos.9718 & 11356 of 2019**

**and**

**W.M.P(MD)Nos.7627, 7628, 8653, 8654, 8655 & 8656 of 2019**

**1.W.P(MD)No.9718 of 2019:**

R.Jegannathan

... Petitioner

vs.

1.The State of Tamil Nadu,  
Represented by its Principal Secretary,  
Municipal Administration and Water Supply Department,  
Fort St. George,  
Chennai 600 009.

2.The Additional Chief Secretary,  
Highways and Minor Port Department,  
Fort St. George,  
Chennai 600 009.



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3.The Director General of Police,  
PB No.601, Dr.Radhakrishnan Salai,  
Mylapore, Chennai 600 004.

4.The Director,  
Commissionerate of Municipal Administration,  
Ezhilagam,  
Chepauk, Chennai 600 005.

5.The District Collector,  
Madurai District,  
Madurai 625 020.

6.The Commissioner,  
Madurai Corporation,  
Madurai 625 002.

7.The Divisional Engineer,  
Highways Department,  
Construction and Maintenance,  
Madurai 625 002.

... 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 take immediate action to remove all the encroachments on the road, road margins, pavements and the Highways within the jurisdiction of the Municipal Corporations, the Municipalities and the Town Panchayats in the State of Tamilnadu based on the petitioner's representation dated 11.04.2019 within the period stipulated by this Court.



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|                       |                                                      |
|-----------------------|------------------------------------------------------|
| For Petitioner        | : Mr.Ananth C.Rajesh                                 |
| For RR 1, 2, 4, 5 & 7 | : Mr.P.Thilak Kumar<br>Government Pleader            |
| For R - 3             | : Mr.T.Senthil Kumar<br>Additional Public Prosecutor |
| For R – 6             | : Mr.K.K.Kannan                                      |

**2.W.P(MD)No.11356 of 2019:**

K.Balasubramani

... Petitioner

vs.

1.The District Collector,  
Madurai District,  
Madurai 625 020.

2.The Commissioner,  
Madurai Corporation,  
Madurai 625 002.

3.The Divisional Engineer,  
Highways Department,  
Construction and Maintenance,  
Madurai 625 002.

4.P.Balasubramanian

... Respondents



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**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of the second respondent made in Ma.Va.4/027955/18, dated 12.01.2019 and quash the same as without jurisdiction and consequently direct the respondent 1 to 3 remove all the authorized encroachments made on the highway road, road margins and pavements outside of the Mattuthavani flower market.

For Petitioner : Mr.H.Velavadhas

For RR 1 & 3 : Mr.P.Thilak Kumar  
Government Pleader

For R - 2 : Mr.K.K.Kannan

**COMMON ORDER**

**(Order of the Court was made by S.M.SUBRAMANIAM, J.)**

Today, when the matter is taken up for hearing, the learned standing counsel appearing for the Madurai Corporation submitted that permanent structures in the Highways properties and Corporation properties have already been removed.



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2.The learned counsel appearing for the petitioner submitted that a few pavement dwellers are utilizing the Highways land to sell flowers in that locality.

3.It is the duty of the Corporation and the police officers to ensure the free flow of traffic near Mattuthavani Bus Stand, Flower Market and Vegetable Market. They are duty bound to ensure that the Highways are properly maintained, free from encroachments, for public usage. The permanent structures that have already been removed shall not be allowed to be reinstalled by any person. The Highways and Corporation authorities are directed to monitor the area periodically and in the event of any encroachments, the same should be removed immediately.



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4. With these observations, these Writ Petitions are disposed of.

There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

**[S.M.S.,J.] & [A.D.M.C.,J.]**  
**05.08.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
ps

To

1. The Principal Secretary,  
Represented by its State of Tamil Nadu,  
Municipal Administration and Water Supply Department,  
Fort St. George,  
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2. The Additional Chief Secretary,  
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4.The Director,  
Commissionerate of Municipal Administration,  
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Chepauk, Chennai 600 005.

5.The District Collector,  
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Madurai 625 020.

6.The Commissioner,  
Madurai Corporation,  
Madurai 625 002.

7.The Divisional Engineer,  
Highways Department,  
Construction and Maintenance,  
Madurai 625 002.



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**S.M.SUBRAMANIAM, J.**  
**and**  
**DR.A.D.MARIA CLETE, J.**

ps

**ORDER MADE IN**  
**W.P(MD)Nos.9718 & 11356 of 2019**

**DATED : 05.08.2025**