



W.P(MD)No.15391 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 23.07.2025

CORAM:

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

W.P(MD)No.15391 of 2020

O.Homerlal

... Petitioner

Vs.

- 1.The District Collector,
Nagercoil,
Kanyakumari District.
- 2.The Sub Collector,
Padmanabhapuram,
Kanyakumari District.
- 3.The Divisional Engineer,
Highways Department,
PWD Road
Nagercoil,
Kanyakumari District.
- 4.The Assistant Engineer,
Highways Department,
Market Road,
Thuckalay,
Kanyakumari District.
- 5.The Tahsildar,
Thiruvattur Taluk,
Kanyakumari District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to remove the encroachment made on the Samiyarmadam to Vekilambi highway at Survey Nos.149 and 150 of Viyanoor B Village, Thiruvattar Taluk, Kanyakumari District considering the representation of the petitioner dated 11.6.2019 within a stipulated time.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.P.Thilakkumar
Govt. Pleader

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The relief sought for in this writ petition is to direct the respondents to remove the encroachment made on the Samiyarmadam to Vekilambi highway at Survey Nos.149 and 150 of Viyanoor B Village, Thiruvattar Taluk, Kanyakumari District, considering the representation of the petitioner dated 11.6.2019 within a stipulated time.



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2. A status report has been filed by the Divisional Engineer (H), Construction and Maintenance, Nagercoil, wherein it has been stated that regarding the enforcement action, eviction notices were served to the seven encroachers on 19.11.2020, and some of the encroachments were already removed. As far as further action is concerned, it has been stated in para 7 of the status report as follows:

“7. It is respectfully submitted that in respect of other four residential encroachments, by Assistant Divisional Engineer (H), Construction and Maintenance, Thukalay in Lr.No.118/2020-1/A2, dated 01.12.2020 has been addressed to Tahsildar, Thiruvattur to identify the mentioned 4 encroachers (1) Thiru George, S/o Ponnumani, (2) Tmt.Sarawathi, W/o Vincent, (3) Thiru Sunilkumar, S/o Karunakaran, (4) Thiru Devadhas, S/o Muthiyan whether they are landless poor and the chance of alternative land after due enquiry. On providing the same, the residential encroachments are evict due process of law.”

3. In view of the above developments stated in the status report, the respondents are directed to continue the enforcement action and conclude the same as expeditiously as possible in accordance with the procedure prescribed under law.



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4. With the above directions, this writ petition is disposed of.

No costs.

[S.M.S., J.] [A.D.M.C., J.]
23.07.2025

Index:Yes/No
Internet:Yes/No
NCC:Yes/No
skn

To

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