



W.P(MD)No.16767 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2025

CORAM:

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

W.P(MD)No.16767 of 2025

J.Chellam

... Petitioner

vs.

1.The District Collector/Monitoring Committee,
Madurai District,
Madurai – 625 020.

2.The Tahsildar,
Madurai East Taluk,
Madurai District.

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

4.The Assistant Divisional Engineer,
Highways Department,
Construction and Maintenance,
Madurai West, Madurai.

5.Puthisigamani

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent Nos.3 and 4 to remove the encroachment made by the fifth respondent on road in Survey No. 71 situated in between the petitioner's landed property in Survey No.60/1B and Kalikappan Main Road, Kalikappan Village, Madurai East Taluk, Madurai District by considering the proceedings of the second respondent dated 12.06.2024 in Na.Ka.No.3965/2023/A3 based on her representation dated 28.09.2019 within the time stipulated by this Court.

For Petitioner	: Mr.J.Lawrance
For RR 1 to 4	: Mr.S.P.Maharajan Special Government Pleader
For R – 5	: Mr.S.C.Herold Singh

ORDER

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

The writ on hand has been instituted to direct the respondents 3 and 4 to remove the encroachment made by the fifth respondent on the road in Survey No.71 situated between the petitioner's landed property in Survey No.60/1B and Kalikappan Main Road, Kalikappan Village, Madurai East Taluk, Madurai



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District by considering the proceedings of the second respondent dated 12.06.2024 in Na.Ka.No.3965/2023/A3 based on the petitioner's representation dated 28.09.2019.

2.The fifth respondent in the present Writ Petition has instituted a separate writ proceedings in W.P(MD)No.18496 of 2024.

3.The Tahsildar has filed a status report stating that the fifth respondent's wife has encroached upon the Highways property. Admittedly, notice under Section 28 of the Highways Act was issued. Therefore, the authorities are bound to remove the encroachments in the Highways property and clear the Highways road for the benefit of the road users and the public at large.

4.The said W.P(MD)No.18496 of 2024 filed by the fifth respondent was dismissed by this Court, by order dated 09.07.2025. Asfar as the present Writ Petition is concerned, the petitioner seeks eviction of the fifth respondent from the Highways property.



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5.In view of the above, the respondents 1 to 4 are directed to complete the enforcement actions in all respects and restore the Highways property and maintain the same for the benefit of the general public

6.With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

[S.M.S.,J.] & [A.D.M.C.,J.]
09.07.2025
(2/2)

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



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

ps

ORDER MADE IN
W.P(MD)No.16767 of 2025

DATED : 09.07.2025
(2/2)