



W.P.(MD) No.19146 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P.(MD) No.19146 of 2025

and

W.M.P.(MD) No.14718 of 2025

Mariyappan

... Petitioner

-vs-

1.The District Collector
Madurai District

2.The Thasildar
Usilampatti Taluk
Madurai District

3.The Divisional Engineer
(Construction and Maintenance)
State Highways Department
No.27, 11th Street, Karpaga Nagar
K.Pudur, Madurai

4.The Block Development Officer
Village Panchayats
Usilampatti Panchayat Union
Madurai District

5.R.Selvam

... Respondents



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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 notice issued by the 3rd respondent in his proceedings in Ka.No.01/2025/A4 dated 02.07.2025 and quash the same as illegal.

For Petitioner : Mr.N.Kumar

For Respondents : Mr.M.Sarangan
Additional Government Pleader for R1 to R3
Mr.J.Ashok for R4

ORDER

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

The notice issued by the Highways Department for removal of encroachments in the highways land is sought to be quashed in this writ petition.

2. Such notices would not provide cause for institution of writ proceedings. If at all a person claims title or ownership, he has to establish the same before the competent civil court of law.



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3. In the present case, the revenue authorities conducted a survey and identified the encroachments and already initiated enforcement actions for removal of the same.

4. Learned Additional Government Pleader appearing for the respondents 1 to 3, based on the written instructions, submitted that the survey was conducted in the presence of the encroachers, including the petitioner.

5. Thus, when the petitioner has participated in the process of survey and the authorities concerned have already identified the encroachments / unauthorized constructions, he is granted liberty to submit a defence statement along with the documents, if any, to the authorities concerned. On receipt of such defence statement, the authorities concerned shall consider the same and thereafter continue the enforcement action and remove the encroachments / unauthorized constructions, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.



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6. With the above observation, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[S.S.Y., J.]

15.07.2025

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

krk

To:

- 1.The District Collector,
Madurai District.
- 2.The Thasildar,
Usilampatti Taluk,
Madurai District.
- 3.The Divisional Engineer,
(Construction and Maintenance),
State Highways Department,
No.27, 11th Street, Karpaga Nagar,
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