



W.P.No.8362 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2026

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.8362 of 2026

P.Rathinasamy
S/o.Late.Palanisamy
No.576, Perundurai Road
Behind Ravi Theatre
Erode-638 011.

Petitioner(s)

Vs

1. The Secretary
Public Works Department
(Highways, Buildings and Minor Ports)
Secretariat, Fort St. George
Chennai-600 009.
2. The District collector
Erode District
Erode 638 011.
3. The Divisional Engineer
Highways Department (Construction
and Maintenance)
Erode Division
Erode-638 002.



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4. The Assistant Divisional Engineer
Highways Department (Construction
and Maintenance)
Erode District.

5. Muniyappan Temple
Rep. by its Executive Officer / Fit Person
Dharapuram Road
Kasba Pettai Village
Modakurichi Taluk
Erode District.

6. N.Kuppusamy
S/o. Rasa Muthu Gounder
No.303, Anna Nagar, Palimedu
Kalapapettai, Erode District.

Respondent(s)

Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus to direct respondent No.4 to implement the order dated 10.05.2023 and consequential order dated 11.12.2025 by removing the illegal encroachment made in the name of "Muniyappan Temple" on the land situated on the right side of the state highway namely Erode-Dharapuram Road at Kilometer 10/10, in Survey No.208, Kasba Pettai Village, Modakurichi Taluk, Erode District in accordance with law and within a time frame to be fixed by this Honourable Court and consequently restoring the public highway to its original condition.

For Petitioner(s): Ms.S.Gayathri

For Respondent(s): Mr.Edwin Prabakar
State Government Pleader
for Respondents 1 to 4



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ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

In response to petitioner's allegation of inaction in the matter of removal of encroachment, learned State counsel has placed before this Court written instructions received from the authority to state that acting upon the complaint, survey was conducted, encroachments were found and order for removal has already been issued.

2. Learned State counsel would submit that the encroachments are proposed to be removed with the help and assistance of the police force on 25.03.2026.

3. Placing on record the aforesaid statement, petition is disposed of. There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
05.03.2026

kpl



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To

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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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