



WEB COPY



W.P. No. 24358 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2026

CORAM

THE HONOURABLE DR.JUSTICE G. JAYACHANDRAN

AND

THE HONOURABLE MRS. JUSTICE N. MALA

W.P. No. 24358 of 2026

&

W.M.P. No. 26536 of 2026

B. Murugan

..Petitioner

Vs.

The Assistant Divisional Engineer
(Highways) and the Authorized Officer,
Vridhachalam 606 001.
Cuddalore District.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issue of a Writ of Certiorarified Mandamus to call for the records relating to the order of the respondent made in Lr.No. Notice/2026/E.Va.A/dated 12.06.2026 (signed on 13.6.2026) and quash the same and forbear the respondent from demolishing the compound wall of the



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petitioner's school constructed in the front side situated at A. Kottarakuppam

Village, Aladi, Virudhachalam Taluk, Cuddalore District.

For Petitioner :: Mr.L. Chandrakumar

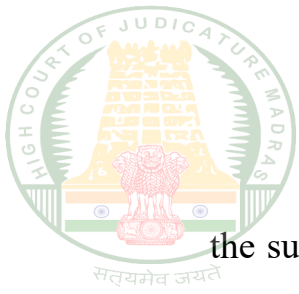
For Respondent :: Mr.K. Surender
Govt. Advocate

O R D E R

(Made by **DR. G. JAYACHANDRAN,J.**)

The writ petitioner is the Manager of a Government Aided Primary School. Contending that the compound wall of the school constructed with the aid of the Government is now sought to be demolished through the impugned notice dated 12.06.2026, he has come forward with the present writ petition with the prayer aforestated.

2. Learned counsel appearing for the writ petitioner submitted that the impugned notice suffers from non-application of mind; that though the objection sent by registered post to the respondent was received on 10.06.2026, the same has not been considered and in the impugned notice, it is stated that the writ petitioner has not objected to the show cause notice dated 03.06.2026, which is contrary to the facts. Further, he submitted that the survey of the land has not been properly conducted and



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the survey number mentioned in the show cause notice is different from the survey number upon which the compound wall is constructed. Yet another submission made by the learned counsel for the petitioner is that the adjacent survey numbers to a stretch of 18kms also fall on the State Highways land, however, the petitioner alone is being targeted.

3. Learned Government Advocate appearing on behalf of the respondent submitted that the land has been surveyed through Revenue Officials; that the encroached portions have been identified only after the issuance of show cause notice and action is being taken for the removal of encroachments upon State Highways Road.

4. From the typed set of papers furnished by the writ petitioner, we find that in the earlier notice for eviction dated 05.11.2025, the survey number of the encroached portion is mentioned as 462/11 whereas in the present impugned notice, the survey number is mentioned as 461. According to the Government Advocate, encroachments are found in both survey numbers and steps have been taken for removal of the encroachments for widening of the State Highways Road.



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5. The show cause notice issued by the Assistant

Divisional Engineer (Highways) signed on 03.06.2026, has been duly replied by the writ petitioner vide letter dated 08.06.2026 and received by the Assistant Divisional Engineer (Highways), as per the postal acknowledgement, on 10.06.2026. However, the impugned notice is silent about the objection of the writ petitioner. On this ground, the impugned notice is liable to be set aside and it is accordingly set aside.

6. The authorities are hereby directed to survey the land in question after serving notice on the writ petitioner and identify the encroached portion, if any. On identification of the encroached portion, the writ petitioner shall remove the encroachment on his own and thereafter, put up the compound wall within his patta land, failing which, the authorities shall remove the encroachment. We also make it clear that if at all, there is any encroachment in other survey numbers, similar action to be taken for removal of the same.

7. The writ petition is disposed of with the above directions. No costs. Connected W.M.P. is closed.

(Dr.G.J.J.) (N.M.J.)
29.06.2026

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To
The Assistant Divisional Engineer
(Highways) and the Authorized Officer,
Vridhachalam 606 001.
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