



WEB COPY

W.P.No.34864 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2026

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.34864 of 2025

and

W.M.P.Nos.39047 & 39050 of 2025

A.Sakthivel

... Petitioner

-VS-

- 1.The District Collector,
O/o. The Collectorate,
Sathuvacaheri, Vellore – 9.
- 2.The Revenue Divisional Officer,
O/o.The Collectorate,
Sathuvacheri, Vellore – 9.
- 3.The Tahsildar,
Velappadi, Vellore,
Vellore District – 632 001.
- 4.The Divisional Engineer,
Highways Department,
Katpadi, Vellore District.
- 5.The Assistant Divisional Engineer,
Highways Department Construction and Maintenance,
Katpadi, Vellore District.
- 6.The Block Development Officer,
Kosapet, Vellore.



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7.A.Elumalai

8.E.Rishikesh

9.E.Revanth

10.E.Selvi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to praying to issue a Writ of Certiorarified Mandamus, calling for the records on the file of the 5th respondent relating to show cause notice Ref.No.122(14)/2025/AA dated 01.08.2025 and quash the same and consequently forbear the respondents from demolishing any immovable properties within the compound more specifically in Survey No.18/3 Tellur Road, Abdullapuram Village, Vellore – 10 of the petitioner.

For Petitioner : Mrs.Ambili Menon.P

For Respondent : Mr.T.Arun Kumar,
Addl. Govt. Pleader for R1 to R6

Mrs.D.Malarvizhi for R7 to R10

ORDER

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

The show cause notice dated 01.08.2025 issued by the Tamil Nadu Highways Department is under challenge in the present Writ proceedings.



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2. Earlier show cause notice was issued in proceedings dated 09.05.2025, pursuant to the direction issued by this Court for removal of encroachments. The said notice had not been received by the petitioner. It was returned back to the Department. Thereafter, a Contempt Petition was filed before the High Court. Therefore, the second show cause notice has been issued in proceedings dated 01.08.2025, which is under challenge in the present Writ Petition.

3. No Writ against the show cause notice is maintainable, unless such notice has been issued by an incompetent Authority having no jurisdiction. In the present case, first show cause notice had not been received by the petitioners, thus fresh show cause notice has been issued. Therefore, the petitioner has to submit his explanation if required along with the documents, if any. Contrarily the High Court cannot adjudicate the disputed facts or civil rights as claimed by the petitioner.

4. The petitioner therefore is at liberty to submit his explanation, if any, within a period of seven (7) days from the date of receipt of a copy of this order. In the even of receiving any such explanation, the same may be looked into by the competent Authority, Highways Department. Thereafter, if any encroachments in the Highways property is identified,



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then all such encroachments are to be removed. The entire exercise is directed to be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With the above directions, the Writ Petition stands **dismissed**. No costs. Consequently, the connected miscellaneous petitions are closed.

(S.M.S,J.,) (C.K,J.,)
02.02.2026

Index: Yes / No
Internet: Yes / No
dsa



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