



W.P(MD)No.10799 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

W.P(MD)No.10799 of 2026

Manjula

... Petitioner

VS.

1.The Divisional Engineer (NH),
Highways Department,
Dindigul.

2.The Assistant Divisional Engineer (NH),
Highways Department,
Dindigul.

3.The Tahsildar,
Dindigul East Taluk,
Dindigul.

4.The Village Administrative Officer (VAO),
Adiyanuthu Village,
Dindigul East Taluk,
Dindigul.



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5.Poovan @ Krishnan

6.Isaiveni

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to remove the encroachment in Survey No.475 (NH.No.383) at Adiyanuthu Village based on the Tahsildar's proceedings dated 20.05.2025, within a time stipulated by this Court.

For Petitioner : Mr.P.M.Vishnu Varthanan

For Respondents : Mr.J.Ashok (R1 to R4)
Additional Government Pleader

ORDER

(Order of the Court was made by N.SATHISH KUMAR, J.)

The petitioner has filed the present Writ Petition seeking a direction to respondents 1 and 2 to remove the encroachment in Survey No. 475 (NH No.383) at Adiyanuthu Village, based on the proceedings of the Tahsildar dated 20.05.2025.

2.By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



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3.Mr.J.Ashok, learned Additional Government Pleader, accepts notice for the respondents 1 to 4. Considering the limited relief sought for by the petitioner, notice to respondents 5 and 6 is dispensed with.

4.The petitioner, a resident of a plot allotted by the TNADW Board in Survey No.494/2, states that respondents 4 and 5 have encroached upon the entrance of the layout, causing hardship to the residents in accessing the main road. Pursuant to an earlier order of this Court in W.P. (MD) No.5310 of 2025, the Tahsildar, Dindigul East, conducted an inspection and, by proceedings dated 20.05.2025, found that the respondents had encroached upon Government poramboke land in Survey No.475, classified as “Vandipathai” and forming part of National Highway No.383. The Tahsildar recommended removal of the encroachment. Despite representations and statutory obligations under the Control of National Highways (Land and Traffic) Act, 2002, the authorities have not taken action. Hence, the present Writ Petition has been filed.



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5.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 4.

6.On perusal of the materials available on record, it is seen that the Tahsildar has already identified the encroachment and forwarded the report to the Highways Department. Therefore, it is the bounden duty of the first respondent to take appropriate action for removal of the encroachment, after affording sufficient opportunity of personal hearing to all the parties concerned, including the private respondents, and by following due process of law, within a period of four months from the date of receipt of a copy of this order.

7.With the above directions, the Writ Petition stands disposed of.

There shall be no order as to costs.

[N.S.K.,J.] [M.J.R.,J.]
17.04.2026

NCC : Yes / No
Index : Yes / No



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