



W.P.(MD)No.14129 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.05.2026

CORAM:

**THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.P.(MD)No.14129 of 2026
and
W.M.P.(MD)Nos.10546 & 10547 of 2026**

Priya

... Petitioner

-VS-

- 1.The Assistant Divisional Engineer (Highway),
Construction and Maintenance,
Tamil Nadu State Highways Department,
Dindigul.
- 2.The Thasildar,
Dindigul West Taluk,
Dindigul.
3. The Assistant Electrical Engineer,
TANGEDCO,
N.G.O.Colony Division,
Dindigul.



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4. The Inspector of Police,
Taluk Police Station,
Dindigul.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the order of the 1st respondent made in Ku.No.Encroach/6839/2026/NE/U dt. 06.05.2026 and quash the same as it is arbitrary and illegal.

For Petitioner	: Mr.R.Surya Narayanan
For R1 & R2	: Mr.T.Amjad Khan Government Advocate
For R4	: Mr.R.M.Anbunithi Additional Public Prosecutor
For R3	: Mr.S.Deenadhayalan Standing Counsel

ORDER

(Order of the Court was made by G.K. ILANTHIRAIYAN,J.)

This writ petition has been filed challenging the order passed by the first respondent dated 06.05.2026, whereby the petitioner was directed to vacate and hand over possession of the land comprised in Survey No.447/1.



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2. The petitioner is in occupation of the land comprised in Survey No.447/1 in Balakrishnapuram Village and is carrying on business in the name and style of M/s. K.K. Decorators, engaged in providing tents and sheds during festivals and celebrations. The first respondent issued an order stating that, pursuant to the directions of this Court in W.P.(MD) No.6839 of 2025 dated 13.04.2026, encroachments in the subject land, which is classified as Government Road, were to be removed. A notice dated 16.02.2026 was issued to the petitioner for removal of the encroachment. Challenging the same, the petitioner filed W.P.(MD) No. 13528 of 2026. This Court, by order dated 29.04.2026, disposed of the writ petition by treating the impugned notice as a show cause notice and directed the petitioner to submit his explanation within three days, and further directed the first respondent to pass fresh orders thereafter. In compliance with the said direction, the petitioner submitted his representation, which was duly considered by the respondents, and consequently, the eviction order dated 06.05.2026 came to be passed.



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3. The learned counsel for the petitioner submitted that no sufficient opportunity of personal hearing was granted to the petitioner by the first respondent before passing the impugned order, and therefore, the same is in violation of the principles of natural justice.

4. Per contra, the learned Government Advocate appearing for respondents 1 and 2 submitted that this is the fourth round of litigation initiated by the petitioner. It was further submitted that the petitioner's explanation dated 04.05.2026 was duly considered by the first respondent, and thereafter the impugned order dated 06.05.2026 was passed.

5. A perusal of the records reveals that, pursuant to the directions issued by this Court on 29.04.2026, the petitioner submitted his explanation dated 04.05.2026, and the same was duly considered by the first respondent before passing the order dated 06.05.2026, after affording an opportunity of hearing to the petitioner. It is also evident that this is the fourth round of litigation initiated by the petitioner with



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the apparent intention of delaying the eviction proceedings.

6. In view of the above, this Court finds no illegality or infirmity in the impugned order passed by the first respondent. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[G.K.I., J.] [K.R.S., J.]

13.05.2026

am

NCC :Yes/No

Index: Yes/No

Internet: Yes/No



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AND
K.RAJASEKAR,J.**

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