

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Fifth day of November Two Thousand and Twenty

PRESENT

The Hon`ble Mr.Justice N.KIRUBAKARAN
and
The Hon`ble Mr.Justice B.PUGALENDHI

WP(MD) No.15391 of 2020

O.HOMERLAL

... PETITIONER

Vs

1 THE DISTRICT COLLECTOR,
NAGERCOIL, KANYAKUMARI DISTRICT.

2 THE SUB COLLECTOR,
PADMANABHAPURAM, KANYAKUMARI DISTRICT.

3 THE DIVISIONAL ENGINEER,
HIGHWAYS DEPARTMENT, PWD ROAD,
NAGERCOIL, KANYAKUMARI DISTRICT.

4 THE ASSISTANT ENGINEER,
HIGHWAYS DEPARTMENT, MARKET ROAD,
THUCKALAY, KANYAKUMARI DISTRICT.

5 THE TAHSILDAR,
THIRUVATTAR TALUK, KANYAKUMARI DISTRICT.

... RESPONDENTS

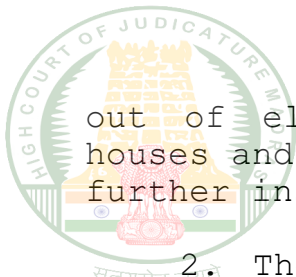
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a Writ of Mandamus or any other writ of direction of like nature directing the respondents to remove the encroachment made on the SamiyarMadam to Vekilambi highway at Survey Nos.149 and 150 of Viyanoor B Village, Thiruvattar Taluk, Kanyakumari District considering the representation of the petitioner dated 11.6.2019 within a stipulated time that may fixed by this Hon'ble court.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.C.HEROLD SINGH, Advocate for the petitioner and of MR.R.MURUGAN, Additional Government Pleader on behalf of the Respondents, the Court made the following order:-

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

Mr.R.Murugan, learned Additional Government Pleader, takes notice on behalf of the respondents 1 to 5 and would submit that

<https://hcservices.ecourts.gov.in/hcservices/>



out of eleven encroachments, four encroachments are residential houses and the remaining are compound walls and he seeks time to get further instructions.

2. The photographs filed along with the writ petition would show that the alleged encroachments are all not new ones. In case of eviction of residential houses, the Government shall provide alternate place to the persons concerned.

3. Call on **07.12.2020** in the admission list itself.

sd/-
05/11/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE DISTRICT COLLECTOR, NAGERCOIL, KANYAKUMARI DISTRICT.
 - 2 THE SUB COLLECTOR, PADMANABHAPURAM, KANYAKUMARI DISTRICT.
 - 3 THE DIVISIONAL ENGINEER, HIGHWAYS DEPARTMENT, PWD ROAD, NAGERCOIL, KANYAKUMARI DISTRICT.
 - 4 THE ASSISTANT ENGINEER, HIGHWAYS DEPARTMENT, MARKET ROAD, THUCKALAY, KANYAKUMARI DISTRICT.
 - 5 THE TAHSILDAR, THIRUVATTAR TALUK, KANYAKUMARI DISTRICT.
- +1. C.C. to THE SPECIAL PUBLIC PROSECUTOR SR.No.21499(F)

ORDER
IN
WP(MD) No.15391 of 2020
Date :05/11/2020

SSL
PK/JC/SAR-IV/23.11.2020 : 2P/7C

<https://hcservices.ecourts.gov.in/hcservices/>