



W.P(MD)No.15328 of

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08.06.2026

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

W.P(MD)No.15328 of 2026

S.Sasi Kumar

... Petitioner

Vs.

The Assistant Divisional Engineer
National Highways
Kanyakumari
Kanyakumari District.

... Respondent

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the Respondent from carrying out eviction process under the provisions of Control of National Highways (Land and Traffic) Act, 2002 and consequently direct the respondent to remove the black sheet covering the premises in Resurvey No.303 admeasuring 1.5 cents bearing Old Door Nos.34C2 and 34C3 corresponding to new Door Nos.4.74 and 4.75 respectively, situated in Nallur Village, Vilavancode Taluk, Kanyakumari District.

For Petitioner : Mr.J.Ashok
For Respondent : Mr.M.S.Parthiban
Counsel for State



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ORDER

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

The prayer in this writ petition is to issue a Writ of Mandamus, forbearing the respondent from carrying out eviction process under the provisions of Control of National Highways (Land and Traffic) Act, 2002 and consequently direct the respondent to remove the black sheet covering the premises in Resurvey No.303 admeasuring 1.5 cents bearing Old Door Nos.34C2 and 34C3 corresponding to new Door Nos.4.74 and 4.75 respectively, situated in Nallur Village, Vilavancode Taluk, Kanyakumari District.

2. It is the grievance of the petitioner that without passing any order and without resorting due process of law, the respondent is carrying out the eviction process. Hence, this writ petition.

3. Learned counsel for the respondent, on instructions, submits that the petitioner himself has undertaken to remove the encroachment in the subject place within one month and the authorities have not commenced the eviction process.



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4. Be that as it may, let the respondents initiate eviction proceedings for removal of encroachments in the subject place by due process of law, within a period of two months from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No costs.

[N.S.K., J.] & [M.J.R., J.]
08.06.2026

Index : Yes / No
Neutral Citation : Yes / No
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To

The Assistant Divisional Engineer
National Highways
Kanyakumari
Kanyakumari District.



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N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.

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ORDER MADE IN
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