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W.P.(MD)NO.9320 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.9320 of 2023

Selvaperumal

... Petitioner

Vs.

1. The District Collector,
Pudukkottai District,
Pudukkottai.
2. The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.
3. The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.
4. The Block Development Officer,
Avudaiyarkoil Panchayat Union,
Avudaiyarkoil,
Pudukkottai District.
5. Krishnasamy
6. Rajagopal
7. Alagar



8. Palaniyappan

9. Jayaraman

10. Chelladurai

11. Rajarajan

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the water body encroachments in survey Nos.20/4, 33/6, 37/7 and illegal encroachments in Government lands in Survey Nos.6, 18/1, 18/2 and 22/22 in Kannakkur Village, Thalanur Post, Avudaiyarkovil Taluk, Pudukkottai, made by the respondents 5 to 11.

For Petitioner : Mr.C.Hitesh Kumar

For R-1 to R-3 : Mr.K.Balasubramani,
Special Government Pleader.

For R-4 : Mr.M.Siddharthan,
Additional Government Pleader.

For R-5 to R-11 : Mr.N.Balakrishnan

* * *

ORDER

Heard the learned counsel on either side.



2. The petitioner has alleged that encroachments have been committed in respect of seven items. It is not in dispute that items 1 to 3 alone i.e. survey Nos.20/4, 33/6 and 37/7 are water-bodies.

3. The official respondents are directed to take steps for causing removal of the encroachments. It is needless to add that due process of law will be followed. As regards the remaining four items, liberty is given to the petitioner to file an independent petition or work out his remedy in the manner known to law. The respondents 1 to 4 are directed to complete the entire exercise within a period of sixteen weeks from the date of receipt of a copy of this order. This writ petition stands allowed accordingly. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)

12th JULY 2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No

PMU



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WEB COPY



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AND

B.PUGALENDHI, J.

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