

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE:09-06-2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI

AND

THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P.No.16255 of 2015

Mrs.Dhanammal
W/o.Perumal Gounder
Thirumangalam Village
Vikravandi Taluk
Villupuram District.

Petitioner

Vs

1 The District Collector
Villupuram District
Villupuram.

2 The Tahsildar
Vikravandi Taluk
Vikravandi
Villupuram District.

3 Sakthivel
S/o.Jayaraman
Thirumangalam Village
Vikravandi Taluk
Villupuram District.

4 Rajavel
S/o.Jayaraman, Thirumangalam Village
Vikravandi Taluk, Villupuram District.

Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 2nd respondent to take appropriate action to remove the encroachments in pursuance of the communication of the 1st respondent dated 18.03.2015 forthwith based on the petitioners legal notice dated 07.03.2015.

For petitioner :: Mr. C.Prabakaran

For respondents :: Mr. N. Sakthivel, GA for RR1 to 2

ORDER

(Order of the Court is made by SATISH K. AGNIHOTRI,J.)

Heard Mr. C. Prabakaran, learned counsel for the petitioner and Mr. N. Sakthivel, learned Government Advocate for the respondents. With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal, at the admission stage itself.

2. The only relief sought for in this petition is a direction to the second respondent to take action to remove the encroachment as per representation dated 06-03-2015. According to the learned counsel for the petitioner, on the representation made by the petitioner, the Office of the Collector, Villupuram had sent a communication to the Tahsildar, Vikravandi on 18-03-2015 to take necessary steps for removal of the encroachment on the water canal in Thirumangalam Village Survey No.202 running through the poramboke irrigation canal comprised in Survey Nos.82/7, 83/12, 84/4, 85/12, 87/7, 88/14, 96/8, 97/7, 99/2.

3. The learned counsel appearing for the first and second respondents submits that the authorities have already initiated action on the aforestated representation and after compliance of necessary requirement i.e., affording opportunity of hearing to the alleged encroachers and as such, the needful shall be done within a period of four weeks.

4. In view of the foregoing, we decline to express any opinion on merits of the case. However, we direct the authorities to conduct proper inspection and verification and also, after giving opportunity of hearing to the alleged encroachers, take all necessary steps for clearing the water canal from encroachments as early as possible, preferably within a period of four weeks, from the date of receipt of a copy of this order.

5. The writ petition is disposed of, accordingly. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

glp

To

1 The District Collector
Villupuram District
Villupuram.

2 The Tahsildar
Vikravandi Taluk
Vikravandi
Villupuram District.

1 cc to Mr.C. Prabakaran, Advocate, Sr. 27750
1 cc to Government Pleader, Sr. 27717

W.P.No.16255 of 2015

RJ (CO)
kk 18/6



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