

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13/7/2015

C O R A M

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND

THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P. No.20522 of 2015

R. Rangaswamy

...

Petitioner

Vs

1. The District Collector
Krishnagiri District
Krishnagiri.
2. The Revenue Divisional officer
Krishnagiri District
Krishnagiri.
3. The Tahsildar
Krishnagiri Taluk and District.
4. The Block Development Officer
Krishnagiri Taluk and District.
5. G. Saravanan
President
Kammampalli Panchayat
Krishnagiri Taluk and District.
6. Devendaran
7. Lokesh

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the respondents 1 to 4 to remove the encroachments from Odai Poramboke land comprised in Survey No.130/A situate at Kammampalli Village, Krishnagiri Taluk and District which leads from Mathilate lake to Vennampalli lake based on the representation dated 30/3/2015.

For petitioner

... Mr.C.Prabakaran

For respondents

... Mr. P.S. Sivashanmugasundaram
Special Government Pleader
for R.R.1 to 3.
Mr.M.Perumal,
Government Advocate for R.4.

O R D E R

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

Mr. P.S. Sivashanmugasundaram, learned Special Government Pleader, takes notice for the respondents 1 to 3 and Mr.M.Perumal, learned Government Advocate takes notice for the fourth respondent.

2. Considering the limited scope of the writ petition, seeking direction to the respondents 1 to 4 to remove the encroachments made in Survey No.130/A situate at Kammampalli Village, Krishnagiri Taluk and District which leads from Mathilate lake to Vennampalli lake, the petition is taken up for final disposal at the admission stage itself.

3. The petitioner stated to be a resident of neighbouring area, complaints that on account of encroachment made by the respondents 5 to 7 on the water canal in Kammampalli Panchayat Survey No.128/8B, 128/8C, 128/8F and 129/1, has made a representation to the authorities, viz., the respondents 1, 3 and 4 on 30/3/2015, pointing out illegal encroachment made by the respondents 5 to 7 in the water canal. The authorities did not heed to the said representation, thus, this writ petition, seeking a direction to the official respondents for taking action in accordance with law, has been filed.

4. Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader appearing for the respondents 1 to 3 submits that the afore-stated representation dated 30/3/2015 of the petitioner shall be examined and necessary consequential action shall be taken in accordance with law on its own merit, after affording opportunity of hearing to the respondents 5 to 7.

5. In view of the foregoing, the respondents 1 to 4 are accordingly directed to look into the afore-stated representation and take necessary steps, as required under the provisions of law on its own merit, after affording opportunity of hearing to the respondents 5 to 7. Such an exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction and observation, the writ petition stands disposed of. Costs made easy.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

mvs.

To

1. The District Collector
Krishnagiri District
Krishnagiri.
2. The Revenue Divisional officer
Krishnagiri District
Krishnagiri.
3. The Tahsildar
Krishnagiri Taluk and District.
4. The Block Development Officer
Krishnagiri Taluk and District.

1 cc to Mr.C.Prabakaran , Advocate Sr.No.35250
1 cc to Government Pleader.Sr.No.35356

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