

In the High Court of Judicature at Madras

Dated: 11.09.2015

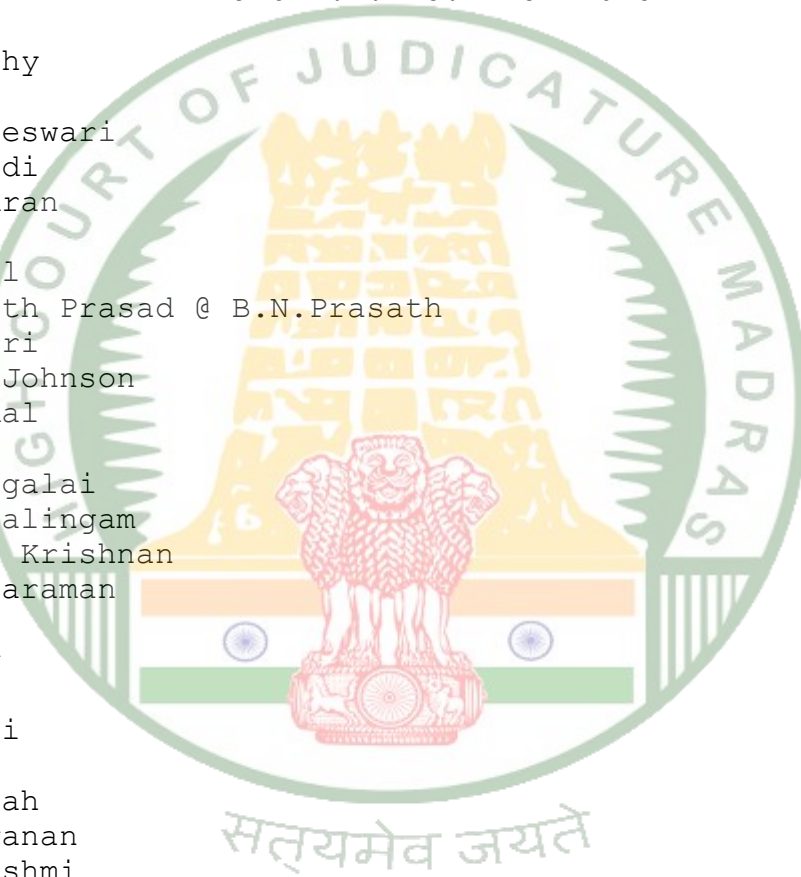
Coram:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and

The Honourable Mr. Justice T.S.SIVAGNANAM

Writ Petition No. 21994 of 2015
and M.P. No. 1 of 2015

1 A. Gomathy
2 Nagammal
3 R.Bhuvaneswari
4 M.Pichandi
5 V.Rajendran
6 K.Balaji
7 M.Mayavel
8 Birugunath Prasad @ B.N.Prasath
9 G.Kasthuri
10 M.David Johnson
11 Muniyammal
12 P.Gopal
13 R.Manimegalai
14 K.Sankaralingam
15 A.Gopala Krishnan
16 R.E. Balaraman
17 D.Velu
18 J.Mathew
19 Sankari
20 S.Shanthi
21 J.Gowri
22 V.Chinniah
23 S.Kalaivanan
24 D.Adhlakshmi
25 N.Gopal
26 V.Ponniah
27 Ezhilarasi
28 S.Selvaraj
29 G.Jesadeesan
30 S.Jegadeesan
31 R.Annamalai
32 K.Sethambaram
33 P.Adhilakshmi
34 C.Shanthi
35 J.Perumal
36 S.Sunapatha



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37 A.Lurdhusamy
38 S.Dhanasekar
39 M.Adhi
40 R.Shanthi
41 K.Manivannan
42 S.Damodharan
43 M.Venkatachalam
44 R.Rajeshwari
45 A.Kumaresan

.. Petitioners

vs.

- 1 The District Collector
Thiruvallur District
Thiruvallur.
- 2 The Tahsildar
Ambattur Taluk
Thiruvallur District.
- 3 The Chief Engineer
Chennai Region
Water Resource Organization
Public Works Department, Chennai.
- 4 The Executive Engineer
Public Works Department
Thiruvallur District.
- 5 The Assistant Engineer
Public Works Department, Redhills
Thiruvallur District.
- 6 The Junior Engineer
Public Works Department, Redhills
Thiruvallur District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from interfering or disturbing with the peaceful possession and enjoyment of the petitioners' residential property situated in Survey No.1, Bharath Nagar Extension, Survey No.2, Bharath Nagar Extension, Survey No.4, Sri Sabari Iyyappan Nagar, Survey No.28, Krishna Nagar, Kamaraj Nagar, Menambedu Village, Ambattur, Chennai-600 053, Thiruvallur District, except due process of law.

For Petitioners : Mr. M.V. Muralidharan
For Respondents : Mr. S.T.S. Murthi,
Govt. Pleader, assisted by
Mr. V.R. Kamalanathan
Addl. Govt. Pleader.

O R D E R

(Made by The Hon'ble The Chief Justice)

It appears that the writ petition has been filed on mere apprehension without any cause of action in view of the stand taken in the common counter-affidavit filed by the third and fourth respondents, where it is stated that whatever action would be taken will be in accordance with law.

2. We may note that the issue pertains to encroachment of land in eri/water body and thus, the respondents are certainly entitled to take expeditious action to clear any occupation on the water body.

3. The writ petition is dismissed, taking the statement made in the counter-affidavit on record. No costs. Consequently, M.P. No.1 of 2015 is also dismissed.

-Sd/-

Assistant Registrar(cs-II)

//True copy//

Sub Assistant Registrar

ATR

Copies to;

- 1 The District Collector
Thiruvallur District at Thiruvallur.
- 2 The Tahsildar
Ambattur Taluk, Thiruvallur District.
- 3 The Chief Engineer
Chennai Region, Water Resource Organization
Public Works Department, Chennai.

4 The Executive Engineer
Public Works Department, Thiruvallur District.

5 The Assistant Engineer
Public Works Department, Redhills
Thiruvallur District.

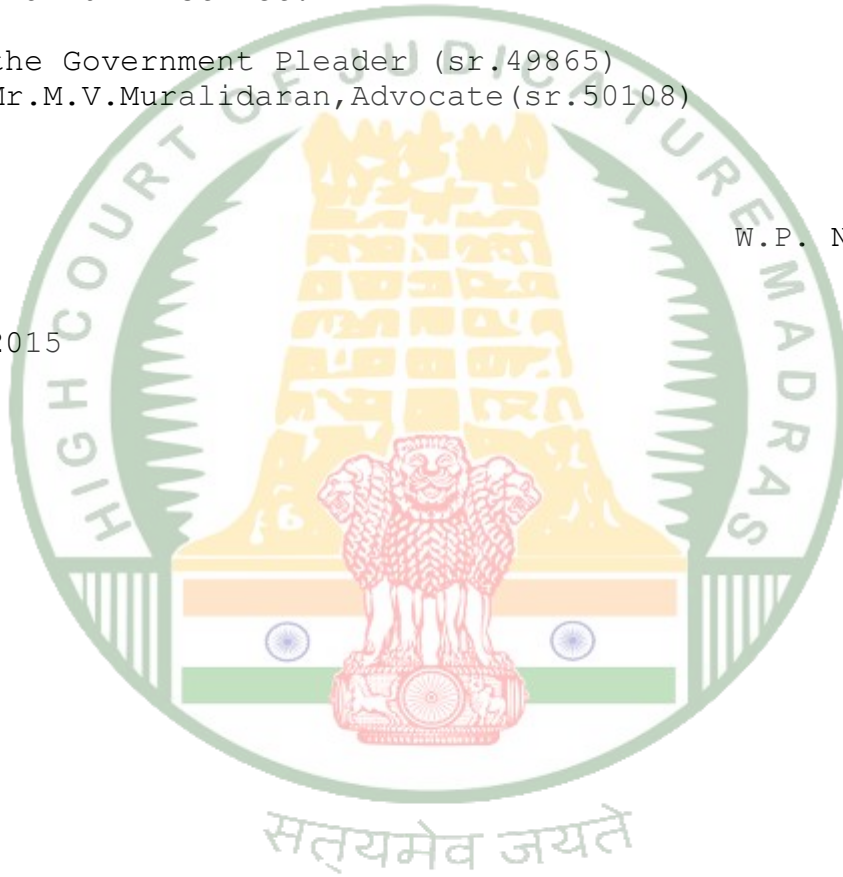
6 The Junior Engineer
Public Works Department, Redhills
Thiruvallur District.

+1 cc to the Government Pleader (sr.49865)

+1 cc to Mr.M.V.Muralidaran, Advocate (sr.50108)

W.P. No. 21994 of 2015

pa(co)
cp 30/09/2015



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