

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K. SASIDHARAN

W.P. No.25187 of 2015

M. Selvarasu

... Petitioner

vs.

1. The District Collector
Cuddalore District
2. The Revenue Divisional Officer
Virudhachalam
3. The Tahsildar
Taluk Office
Veppur
4. P. Periyasamy

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 3 to remove the encroachments in the field channel, i.e., "Odai Porambokku" comprised in Survey No.156 situated at Neramani Village, Nalur Panchayat Union, Veppur Taluk, Cuddalore District and to maintain the same free from encroachments assuring the free flow of water to the agricultural lands based on the petitioner's representation dated 08.04.2015.

For petitioner : M/s. R. Murali
For RR 1-3 : Mrs. A. Srijayanthi
Special Government Pleader

ORDER
(made by SATISH K. AGNIHOTRI, J.)

Mrs. A. Srijayanthi, learned Special Government Pleader, accepts notice for respondents 1 to 3. It is not necessary to issue notice to the fourth respondent, inasmuch as this is only a case of

consideration of the petitioner's representation and no action can be taken without providing an opportunity of hearing to him. Thus, with the consent of the learned counsel for the petitioner and the learned Special Government Pleader, this writ petition is taken up for final hearing, at the admission stage itself.

2. Feeling dis-satisfied with non-action on the part of the official respondents on his representation dated 8th April 2015, the petitioner has preferred the instant writ petition.

3. According to the learned counsel for the petitioner, the fourth respondent had allegedly made encroachment on the stream poramboke to an extent of 0.25.0 ares in Survey No.156, Niramani Village, Veppur Taluk, Cuddalore District. The fact of the said encroachment was brought to the notice of the official respondents by the aforestated representation dated 8th April 2015. Till date, no action has been initiated to remove the same, which may lead to further encroachment. Thus, a direction be issued to the official respondents to take necessary action for removal of the alleged encroachment.

4. The learned Special Government Pleader appearing for the official respondents submits that on proper survey, enquiry and notice to the fourth respondent, who is alleged to be an encroacher and also other similarly placed encroachers, necessary action will be taken on the petitioner's representation within a period of six weeks from today.

5. In view of the above submission made by the learned Special Government Pleader, it is ordered. No further direction need be given in this writ petition.

6. The writ petition stands disposed of with the above observations. Costs made easy.

Sd/-

सत्यमेव जयते
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

cad

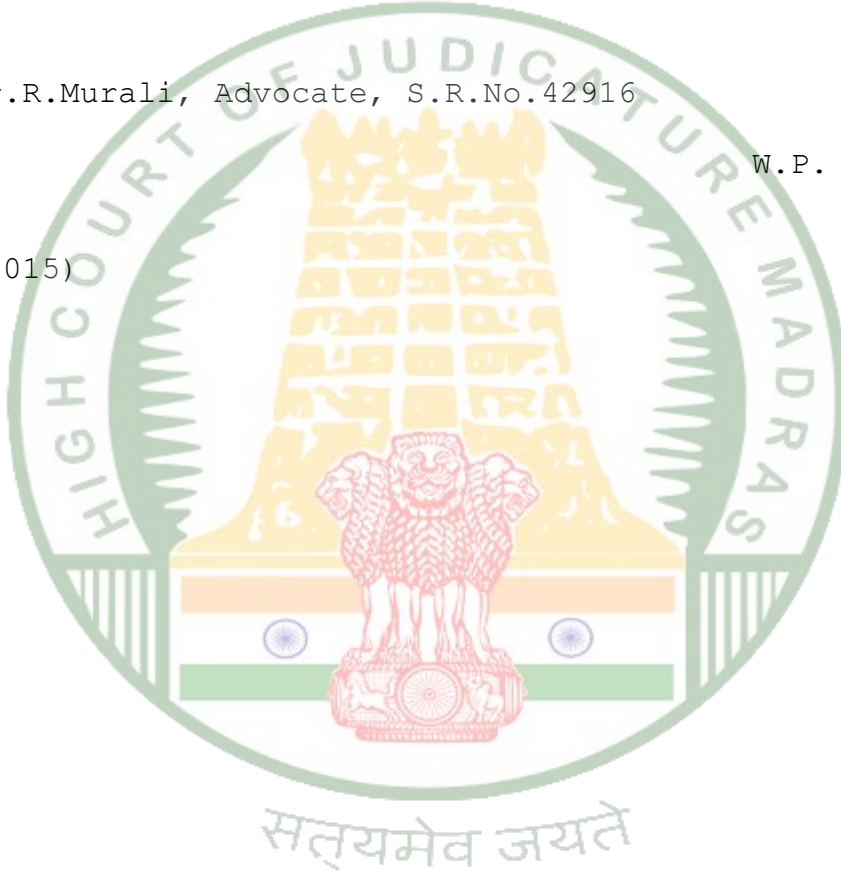
To

1. The District Collector
Cuddalore District
2. The Revenue Divisional Officer
Virudhachalam
3. The Tahsildar
Taluk Office
Veppur

+1cc to Mr.R.Murali, Advocate, S.R.No.42916

W.P. No.25187 of 2015

AD(CO)
CA(27/08/2015)



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