

In the High Court of Judicature at Madras

Dated: 18.08.2015

Coram:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice T.S.SIVAGNANAM

Writ Petition No.25555 of 2015

M. Saravanan

.. Petitioner

vs.

1. The State of Tamilnadu
Rep. by its Secretary
Department of Revenue (Land Development)
Fort St. George, Chennai-600 009.
2. The State of Tamilnadu
Rep. by its Principal Secretary
Public Works Department
Fort St. George, Chennai-600 009.
3. The State of Tamilnaadu
Rep. by its Principal Secretary
Department of Environment and Forest
Fort St. George, Chennai-600 009.
4. The District Collector
Collectorate
Vellore District, Vellore-9.
5. The Executive Engineer
Water Resources Department
Public Works Department
PWD Complex-III Floor
Gandhi Nagar East
Municipal Colony, Vellore-632004.
6. The Sub Collector/Revenue Divisional Officer
Tirupattur, Vellore District.
7. The Tahsildar
Tirupattur, Vellore District.

8. The Commissioner
Tirupattur Municipality, Tirupattur.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to take necessary steps to remove the unlawful encroachments over the Malakasi Eri in S.No.91 to an extent of 12 Hectares or 29.64 acres of Pachel Village of Jolarpet Panchayat Union of Tirupattur Taluk, Vellore District within a stipulated period and thereby restore the already ear marked Lake (Malakasi Eri) as disclosed in the revenue records to its original status as part of Government's rain water harvesting scheme and save natural resources.

For Petitioner : Mr. P.S. Kothandaraman
For Respondents : Mr. S.T.S. Murthi, Govt. Pleader
assisted by Mr.V.Shanmughasundar
Govt. Advocate for R1,2, & 4 to 8
Mr. M.K.Subramanian
Spl. Govt. Pleader (Forests) for R3.

O R D E R

(Made by The Hon'ble The Chief Justice)

The petitioner alleges encroachment over Malakasi Eri in Survey No.91 to an extent of 12 Hectares or 29.64 acres in Pachel Village, Jolarpet Panchayat Union, Tirupattur Taluk, Vellore District. The petitioner appears to have made a representation even earlier along with other residents of the village and the fourth respondent/District Collector vide letter dated 30.01.2012 had called upon the seventh respondent/Tahsildar to take necessary action.

2. Learned Government Pleader states that the fifth respondent is the authority concerned, who deals with the subject matter and thus, we direct the said respondent to carry out an inspection of the site and after notice to all concerned, take a reasoned decision within a maximum period of two months from the date of receipt of this order.

3. The writ petition accordingly stands disposed of. No costs.

-s/d-

Assistant Registrar(CO)
dt:18/09/2015

True Copy

Sub-Assistant Registrar

Copies to;

1. The Secretary
State of Tamilnadu
Department of Revenue (Land Development)
Fort St. George, Chennai-600 009.
2. The Principal Secretary
State of Tamilnadu
Public Works Department
Fort St. George, Chennai-600 009.
3. The Principal Secretary
State of Tamilnaadu
Department of Environment and Forest
Fort St. George, Chennai-600 009.
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Tirupattur, Vellore District.
8. The Commissioner
Tirupattur Municipality, Tirupattur.

+1 cc to Special Government Pleader (Forest) sr.43674

+1 cc to Mr.P.S.kothandaraman Advocate sr.43753

+1 cc to Government Pleader sr.43871

W.P. No. 25555 of 2015

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