

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.5124 of 2015

1 S.Viswanathan .. Petitioner
-vs-

1 The District Collector
Thiruvannamalai District Thiruvannamalai

2 The Revenue Divisional
Officer Cheyyar 604 407 Thiruvannamalai
District

3 The Tahsildar
Vandavasi Taluk Vandavasi Thiruvannamalai
District

4 The Assistant Engineer (PWD)
Water Resources Organisation (WRO) Public
Works Department Vandavasi 604 408

5 Elumalai
6 Somasundaram
7 A.Vadivelan

8 Srinivasan

S/o. Ganesa Mudaliar सत्यमेव जयते

9 Srinivasan

S/o. Jayaraman Mudaliar

10 Maragatham

11 Narayanan

12 Shanmugam

13 Ashok

14 Gopal

15 Sundaramoorthy

16 Perumal

.. Respondents

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Petition filed under Article 226 of the Constitution of India, praying for issue of Writ of Mandamus to directing the 4th respondent to take necessary follow up action for the removal of encroachments at Keezhkodungalur lake and Chitteri lake Keezhkodungalur Village Vandavasi Taluk Tiruvannamalai District as per the provisions of Tamilnadu Protection of Tanks and Eviction of Encroachment Act 2007 and as per the order dated 25.7.2014 passed by this Honourable court in W.P.No.12965 to 12970 of 2014 within the time that may be fixed by this Honourable court.

For Petitioner : Mr.P.Mani

For Respondents : Mr.S.T.S.Moorthy,
Govt. Pleader for RR1 to 4.

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

We are not inclined to entertain a Public Interest Litigation on the same issue against encroachments when the encroachers had approached this Court against the eviction proceedings and the last order stated to have been passed is on 25.07.2014 in W.P.Nos.12965 to 12970 of 2014 by a Co-ordinate Bench of this Court. We, may, however notice that in terms of that order, two (2) weeks time was granted to complete the proceedings of eviction, which has still not been completed. In effect, this petition is really seeking enforcement of that order.

2.We expect the authorities to comply with the order dated 25.07.2014, as otherwise, naturally the contempt proceedings may arise. We hope, this is a sufficient indication to the authorities for them to follow the course of action as required.

3.Writ Petition is, accordingly, closed. No costs.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

sra

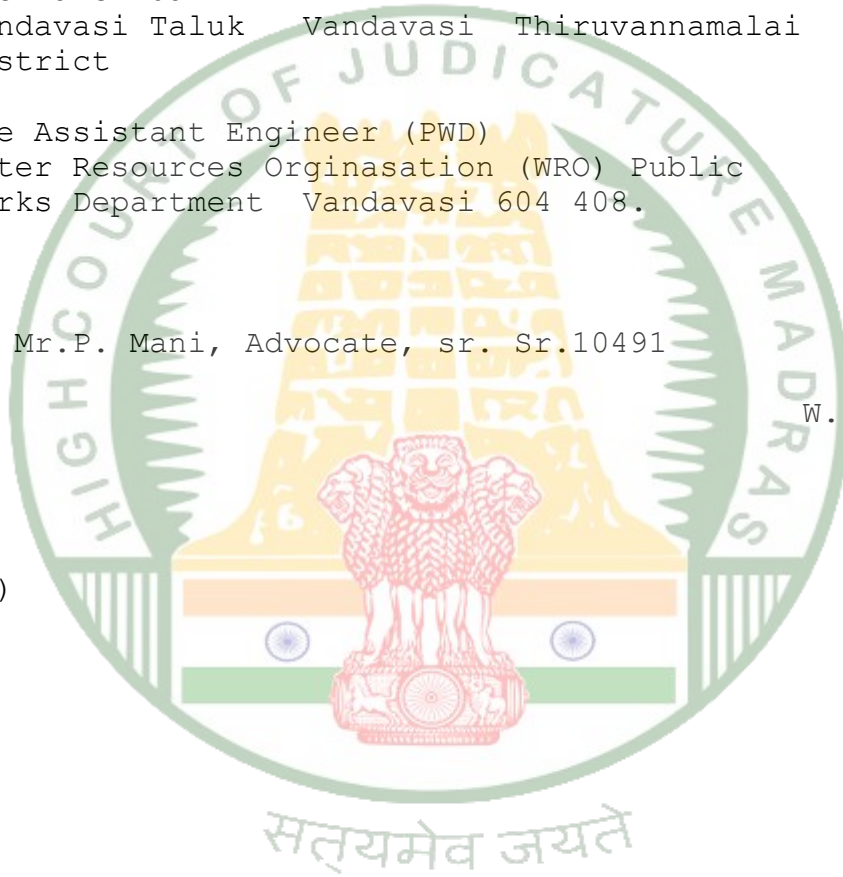
To

- 1 The District Collector
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1 cc to Mr.P. Mani, Advocate, sr. Sr.10491

W.P.No.5124 of 2015

SCD (CO)
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