



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.16992 of 2015

M.A.Vijayanatarajan

...Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Madurai District,
Collectorate,
Madurai.

3.The Tahsildar,
Madurai East Taluk,
Othakadai,
Madurai District.

4.Kuchikatti Pandi

...Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the Respondents 1 to 3 to remove the encroachments made in Oorani in Survey No.5 Village No.102 Pulankulam Village Andarkottaram Village Panchayat Madurai Taluk and District belonging to the Government by considering the Petitioners representation dated 18.08.2015 and 08.09.2015.

For Petitioner

: Mr.M.Kannan

For Respondents 1-3

:Mr.M.Alagadevan,

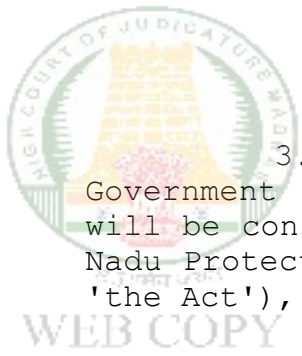
Special Government Pleader

ORDER

(Order of the Court was made by R.SUDHAKAR,J.)

This writ petition has been filed seeking for a direction to the respondents 1 to 3 to remove the encroachments made in Oorani in Survey No.5 Village No.102, Pulankulam Village, Andarkottaram Village Panchayat, Madurai Taluk and District belonging to the Government by considering the petitioner's representations dated 18.08.2015 and 08.09.2015.

2.The grievance of the petitioner appears to be that there are some encroachments on public water bodies and therefore, he made a representations to the respondents to take action. Since no final order has been passed, the present writ petition has been filed for the relief as stated supra.



3. When the matter came up for hearing, learned Special Government Pleader submitted that the representation of the petitioner will be considered and action will be taken as per Section 7 of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 (in short 'the Act'), after issuing notice to all the necessary parties.

4. Recording the said submission, the competent authority, as specified in sub-section (2) of Section 6 of the Act is directed to take appropriate action as per Section 7 of the Act as expeditiously as possible after affording sufficient opportunity to all the necessary parties in order to avoid allegation of violation of principles of natural justice.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District,
Madurai.

2. The Revenue Divisional Officer,
Madurai District,
Collectorate,
Madurai.

3. The Tahsildar,
Madurai East Taluk,
Othakadai,
Madurai District.

+1CC to the Special Government Pleader, in SR.No.55971
+1cc to M/s.M.Kannan, Advocate in SR.No.56299

Writ Petition (MD) No.16992 of 2015
21.09.2015

sms

PBK/DP 07/10/2015 ::2P-5C::