



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.18255 of 2015

Kulanthaivelu

... Petitioner

Vs.

1.The District Collector,
District Collector Campus,
Pudukottai District.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Pudukottai District.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Iluppur Division,
Iluppur, Pudukottai District.

4.The Tahsidlar,
Iluppur Taluk,
Pudukottai District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to remove the encroachment made in Kanchirankudi Water Tank situated in S.F.No.53/1 of Thennampadi village Iluppur Taluk Pudukkottai District and to take necessary action against the encroachers on the basis of the Petitioner's Representation dated 18.09.2015.

For Petitioner

: Mr.T.Vadivelan

For Respondents

:Mr.M.Alagathevan,

Special Government Pleader

ORDER

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

The petitioner has come forward with this writ petition, seeking for a direction to the respondents to remove encroachment made in Kanchirankudi Water Tank situated in S.F.No.53/1 of Thennampadi village, Iluppur Taluk, Pudukkottai District and take necessary action against the encroachers on the basis of the petitioner's representation dated 18.09.2015.

2.The grievance of the petitioner appears to be that there are some encroachments on public water bodies and therefore, he made a representation to the respondents to take action. Since no 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 same, 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 (Per. Admn)

/True copy/

Sub-Assistant Registrar

To

1. The District Collector,
District Collector Campus,
Pudukottai District.
2. The Superintendent of Police,
Office of the Superintendent of Police,
Pudukottai District.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Iluppur Division,
Iluppur, Pudukottai District.
4. The Tahsidlar,
Iluppur Taluk,
Pudukottai District.

+1cc to Mr. T. Vadivelan, Advocate SR.No.60034
+1cc to special Government Pleader SR.No.59784

Sm:AAL-MPA:28.10.2015:2P/7C

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