



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.14670 of 2013

M.Sahana Parveen

... Petitioner

Vs.

- 1.The District Collector,
Collector Office,
Madurai.
- 2.The District Revenue Officer,
Collector Office, Madurai.
- 3.The Revenue Divisional Officer,
Collector office,Madurai
- 4.The Tahsildar,
Madurai North,
Collector Office,
Madurai.
- 5.The Village Administrative Officer,
Siruthoor Village,
Madurai.
- 6.The Chief Engineer,
Public Works Department (WRD),
Madurai Division, Madurai.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents not to permit any person to encroach the water channel and Siruthoor tank in S No. 120/1A 120/21B Tiruppalai Village Bit II and not to permit anybody to encroach the water bodies.

For Petitioner : Mr.S.Manohar

For Respondents : Mr.M.Govindan,

Special Government Pleader

ORDER

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

<https://hcservices.ecourts.gov.in/hcservices/>

This writ petition has been filed seeking for a direction to the respondents not to permit any person to encroach water



channel and Siruthoor tank in S.No. 120/1A and 120/21B, Tiruppalai Village Bit II and not to permit anybody to encroach water bodies.

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 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 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. Consequently, M.P(MD)No.1 of 2013 is closed.

Sd/-

Assistant Registrar(Per Admn)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector, Collector Office, Madurai.
- 2.The District Revenue Officer, Collector Office, Madurai.
- 3.The Revenue Divisional Officer, Collector office, Madurai
- 4.The Tahsildar, Madurai North, Collector Office, Madurai.
- 5.The Village Administrative Officer, Siruthoor Village, Madurai.
- 6.The Chief Engineer,
Public Works Department (WRD), Madurai Division, Madurai.

+1cc to Mr.S.Manohar, Advocate Sr.No.52736

+1cc to Spl.Governemnt Pleader Sr.No.52679

sms

NS/JGB-DP/21.09.2015/2p-9c

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