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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.6750 of 2011

Kumaravel

... Petitioner

Vs.

1.The District Collector,
Trichy,
Trichy District.

2.The Chief Engineer,
PWD,
Water Resources Organization,
Subramaniapuram,
Trichy.

3.The Executive Engineer,
PWD,
Water Resources Organization,
Subramaniapuram,
Trichy.

4.Ashokan

5.Rajendran

6.Veeramuthu

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st Respondent to give necessary direction to the Respondents No.2 & 3 to intervene in encroachments and illegal construction put up in the Vengakulam Velakulam and Ernakulam tanks situated at Thoovakudi Village Trichy District by the Respondents No.4 to 6 based on the Petitioner's representation dated 25.05.2011 made to the Respondent's No.1 to 3.

For Petitioner

: Mr.N.R.Murugesan

For 1st Respondent

: Mr.M.Alagadevan

Special Government Pleader.

For 6th Respondent

: Mr.R.Divakaran

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

For Respondents 2-5

: No appearance

**ORDER**

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

This writ petition has been filed seeking for a direction to the first respondent to give necessary direction to the respondents 2 and 3 to intervene in encroachments and illegal construction put up in Vengakulam, Velakulam and Ernakulam tanks situated at Thoovakudi Village, Trichy District by the respondents 4 to 6 based on the petitioner's representation dated 25.05.2011.

2.The grievance of the petitioner appears to be that there are some encroachments on 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 2011 is closed.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector, Trichy,Trichy District.
- 2.The Chief Engineer, PWD,Water Resources Organization,
Subramaniapuram, Trichy.
- 3.The Executive Engineer,
PWD, Water Resources Organization,
Subramaniapuram, Trichy.

Sms

AA/GSV-PM/15.10.2015/2p-4c