

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2016

CORAM

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI  
AND

THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P.No.40060 of 2015

L. Muruganandham

.. Petitioner

Vs.

1. The District Collector,  
Collector Office,  
Kancheepuram.

2. The Revenue Divisional Officer,  
Revenue Divisional Office,  
Kancheepuram.

3. The Tahsildar,  
Sriperumbadur,  
Tahsildar Office,  
Sriperambadur Taluk,  
Kancheepuram District.

4. The Tahsildar,  
Tambaram,  
Tahsildar Office,  
Tambaram, Chennai.

5. The Divisional Engineer,  
P.W.D.,  
Kancheepuram.

.. Respondents

This writ petition is filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondents 1 to 5 herein to restore the Papankal Canal to its original place at Perungalathur Village, which was diverted to West into 6 Plots at Metro Paradise Town House site layout at Survey No.364/2 Varadharajapuram Village, Sriperambadur taluk.

For Petitioner : Mr. J. Nandagopal

For Respondents : Mrs. A. Srijyanthi  
Spl. Govt. Pleader

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents. With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal.

2. This writ petition is filed seeking a direction to the respondents 1 to 5 herein to restore the Papankal Cannel to its original place at Perungalathur Village, which was diverted to West into 6 Plots at Metro Paradise Town House site layout at Survey No.364/2 Varadharajapuram Village, Sriperambadur Taluk.

3. The petitioner is the owner of a plot No.12 in S.No. 364/2 Varadharajapuram Village, Sriperumbudur Taluk. Alleging that some persons have encroached the adjacent plots and diverted the Panpangal channel to the approved layout, he has made a representation to the first respondent/ District Collector, Kancheepuram, to remove the encroachment and restore the water channel. Finding no response, the instant writ petition is filed for the aforestated relief.

4. In response to the allegations made by the petitioner that some persons are diverting the Panpangal Water channels unauthorisedly and causing obstruction to the flow of water, the fifth respondent has filed an affidavit stating as under:-

" Though at present there are no visible constructional activities going on in the tributary of River Adyar near to the petitioner's plot, a survey will be made to demarcate the boundary of the tributary at S.No.362 of Varadarajapuram Village and action will be taken by this respondent to prevent any encroachment in future in accordance with law, on both sides of river".

5. In view of the averments made by the fifth respondent in the counter affidavit, wherein, he undertakes to monitor and prevent any encroachment in future, no further order is required to be passed in this writ petition, at this stage.

6. This writ petition is disposed of accordingly. Connected miscellaneous petition is closed. No costs.

Sd/-

Asst.Registrar (CS II )

/true copy/

Sub Asst. Registrar

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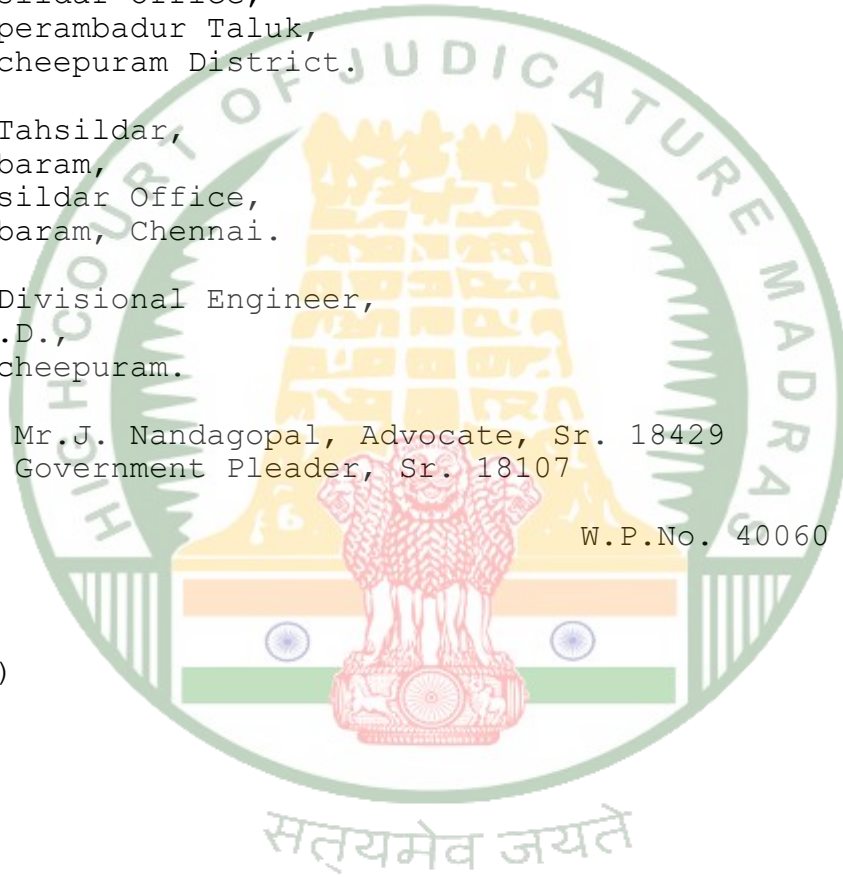
To

1. The District Collector,  
Collector Office,  
Kancheepuram.
2. The Revenue Divisional Officer,  
Revenue Divisional Office,  
Kancheepuram.
3. The Tahsildar,  
Sriperumbadur,  
Tahsildar Office,  
Sriperambadur Taluk,  
Kancheepuram District.
4. The Tahsildar,  
Tambaram,  
Tahsildar Office,  
Tambaram, Chennai.
5. The Divisional Engineer,  
P.W.D.,  
Kancheepuram.

1 cc to Mr.J. Nandagopal, Advocate, Sr. 18429  
1 cc to Government Pleader, Sr. 18107

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KGK (CO)  
kk 5/4



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