

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

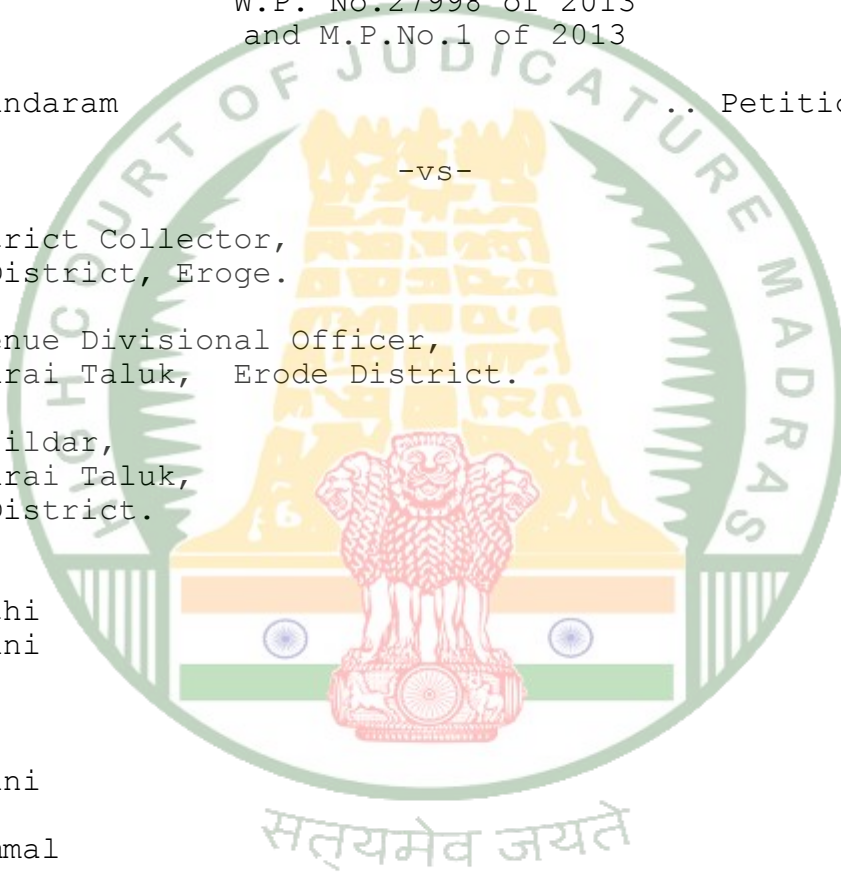
The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.27998 of 2013
and M.P.No.1 of 2013

N.Mohanasundaram ... Petitioner

-vs-

- 1.The District Collector,
Erode District, Eroge.
- 2.The Revenue Divisional Officer,
Perundurai Taluk, Erode District.
- 3.The Tahsildar,
Perundurai Taluk,
Erode District.
- 4.Marry.
- 5.Amaravathi
- 6.Velankanni
- 7.Jothi
- 8.Pavoon
- 9.Selina
- 10.Thavamani
- 11.Selvi
- 12.Pechiammal
- 13.Sampoornam
- 14.Pappathi
- 15.Pichammal
- 16.Panchavarnam
- 17.Amudha
- 18.Velankanni
- 19.Anbu
- 20.Muthammal
- 21.Pappammal
- 22.Muthulakshmi
- 23.Anandi
- 24.Boopathi
- 25.Mareeswari



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26.Lakshmi
27.Rajammal
28.Suresh
29.Selvi
30.Kuppaiyee
31.Savithri
32.Thangamani

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to consider the petitioner representation dated 23.06.2013 and take necessary action to cancel the assignment and to remove the encroachment in the village tank in R.S.No.1018/1, Pethampalayam Village, Perundurai Taluk, Erode District.

For Petitioner : Mr.L.Chandrakumar
for p.T.Ramadevi
For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, for RR 1 to 3
: Mr.V.Regunathan for RR 4 to 29
: No appearance for RR 30 to 32

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O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

It is conceded that while making allotment, a part of the water poramboke area has also been allotted. It is, however, submitted that these allotments were made in the year 2000 and the legal position has evolved thereafter. It is also pointed out that this petition has been filed after more than 13 years in 2013.

2.On account of delay and laches, we are not inclined to exercise the jurisdiction of public interest litigation. It is, however, made clear that no further allotment or encroachment will be permitted in the water area.

3.Writ petition is dismissed with the aforesaid observation. No costs. Consequently, M.P.No.1 of 2013 is also dismissed.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

sra

To

1.The District Collector,
Erode District, Eroge.

2.The Revenue Divisional Officer,
Perundurai Taluk, Erode District.

3.The Tahsildar,
Perundurai Taluk,
Erode District.

+ 1 cc to Mr.V.Regunathan, Advocate SR NO 37043[20/09/2016]

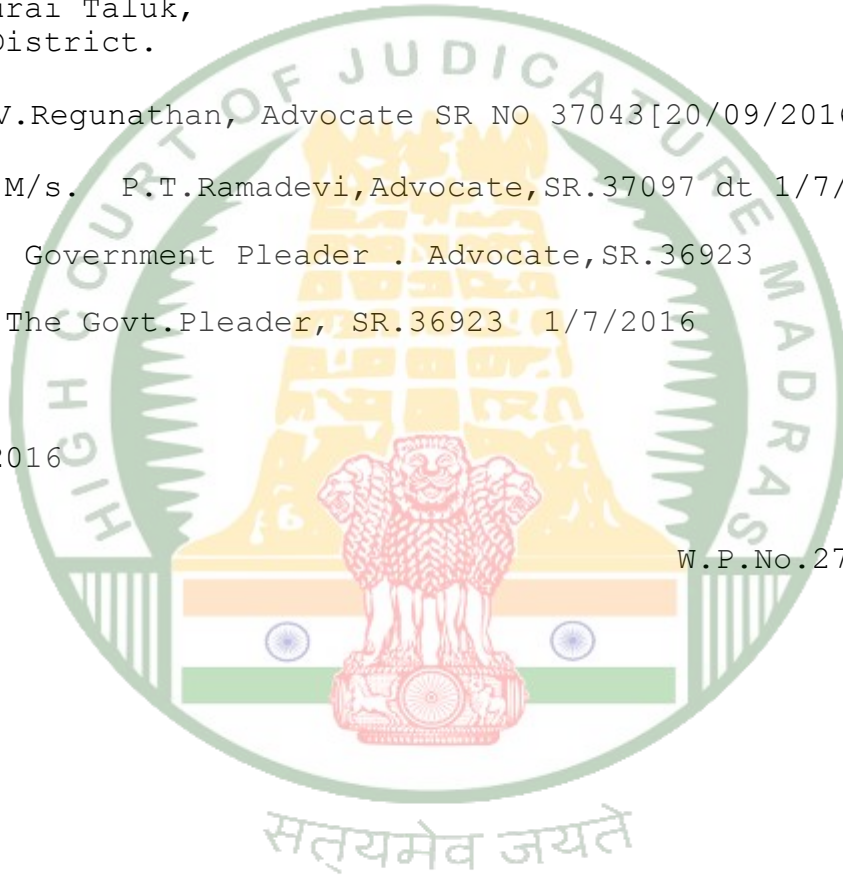
+ 1 cc to M/s. P.T.Ramadevi, Advocate, SR.37097 dt 1/7/2016

+ 1 cc to Government Pleader . Advocate, SR.36923

+ 1 cc to The Govt.Pleader, SR.36923 1/7/2016

AD(CO)
CP 23/07/2016

W.P.No.27998 of 2013



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