



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE B.GOKULDAS

W.P (MD) No.12084 of 2016

Ammalthangam

.. Petitioner

Vs.

1.The District Collector,
Kanniyakumari District,
Nagercoil.

2.The Revenue Divisional Officer,
District Collectorate, Nagercoil.

3.The Tahsildar,
District Collectorate, Nagercoil.

4.The Executive Engineer,
Kothaiyaru Division,
Public Works Department,
Water Resource Organisation,
Nagercoil.

5.The Under Secretary to Government,
Public Works Department,
Water Resource Organisation,
Secretariat, Chennai.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to take immediate steps to remove the encroachment in Kottaram Achankulam River, by considering the petitioner's representation, dated 11.01.2016.

For petitioner

: Mr.G.Kannan

For respondents

: Mr.M.Alagadevan

Special Government Pleader

O R D E R

[Order of the Court was made by K.K.SASIDHARAN, J.]

The petitioner seeks a Writ of Mandamus directing the respondents to consider his representation dated 11.01.2016 and remove the encroachments stated to have been made by certain third parties, near Kottaram Achankulam River.



2. The affidavit is bereft of details. The petitioner has not given the survey number of the property or its description. Similarly, the encroachers are not made parties to the Writ Petition. We are not inclined to entertain this half baked Writ Petition.

3. In the result, the Writ Petition is dismissed. However, we make it clear that the dismissal of the Writ Petition would not stand in the way of the petitioner from filing a fresh Writ Petition, in case he is in a position to produce the details of the property and implead the encroachers as parties. No costs.

Sd/-

Assistant Registrar(CS II)

/True copy/

Sub Assistant Registrar

To:

- 1.The District Collector,
Kanniyakumari District, Nagercoil.
- 2.The Revenue Divisional Officer,
District Collectorate, Nagercoil.
- 3.The Tahsildar,
District Collectorate, Nagercoil.
- 4.The Executive Engineer,
Kothaiyaru Division,
Public Works Department,
Water Resource Organisation, Nagercoil.
- 5.The Under Secretary to Government,
Public Works Department,
Water Resource Organisation,
Secretariat, Chennai.

+1cc to the special Government Pleader SR.No.35812
+1cc to Mr.G.V.Vairam Santhosh, Advocate SR.No.35694

NB

sm:GSV-PM:22.7.2016:2P/8C

ORDER MADE IN
W.P(MD)No.12084 of 2016
11.07.2016