

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.5241 of 2017

Lingammal

.. Petitioner

Vs.

1 The District Collector
O/o. The District Collector
Collectorate Building
Coimbatore.

2 The Thasildhar
O/o.The Thasildhar
Mettupalayam
Coimbatore.

3 The Assistant Engineer
Public Works Department
Irrigation Department
Mettupalayam
Coimbatore District.

4 C.Shanmugasundaram

5 C.Ushadevi

6 C.Santha

7 C.Lakshmi

8 Vidya Rani

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the 2nd respondent to implement the order of removing the encroachments in the water channel of Maruthavali Raja

Vaikal Open Cut-2 in S.F. No.125/1 at Odanthurai Village, Mettupalayam Taluk, Coimbatore District as per the proceedings bearing Na.Ka. 6408/ 2015/ A7 dated 25.09.2015.

For Petitioner : Mr.H.Rahasejar

For Respondents : Mr.M.K.Subramanian
Government Pleader
for respondents 1 to 3

ORDER

(Order of the Court was made by the Acting Chief Justice)

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus directing the second respondent to implement the order of removing the encroachments in the water channel - Maruthavali Raja Vaikal in S.F. No.125/1 at Odanthurai Village, Mettupalayam Taluk, Coimbatore District as per the proceedings bearing Na.Ka. 6408/ 2015/ A7 dated 25.09.2015.

2. It is the case of the petitioner that respondent Nos.4 to 8 have encroached upon the water channel - Maruthavali Raja Vaikal in S.F.No.125/1 situated at Odanthurai Village, Mettupalayam Taluk, Coimbatore District. Though the respondent authorities decided to remove the encroachments and have sought the police assistance during removal of encroachments, till date the encroachments have not been removed. Hence, the petitioner has filed the writ petition seeking the relief stated supra.

3. The learned Government Pleader, on instruction, submitted that within a maximum period of three months from today, all the encroachments in Maruthavali Raja Vaikal will be removed.

4. We take the assurance/undertaking on record, making it clear that any violation would be on the pain of contempt.

5. The writ petition is disposed of in terms aforesaid. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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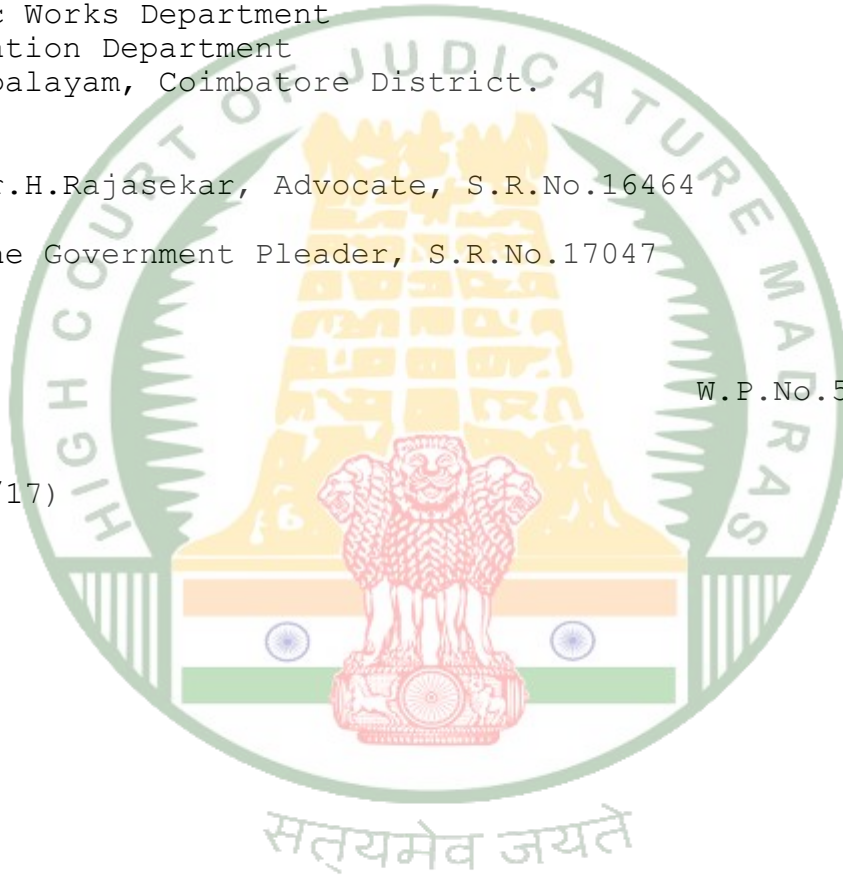
- 1 The District Collector
Collectorate Building, Coimbatore.
- 2 The Thasildhar
Mettupalayam, Coimbatore.
- 3 The Assistant Engineer
Public Works Department
Irrigation Department
Mettupalayam, Coimbatore District.

+1cc to Mr.H.Rajasekar, Advocate, S.R.No.16464

+1cc to the Government Pleader, S.R.No.17047

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