



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 28.07.2017

CORAM :

WEB COPY

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P (MD) No.14033 of 2014

P.Suresh Kumar

... Petitioner

Vs.

1. The District Collector,
Tirunelveli District,
Tirunelveli.

2. The Tahsildar,
Nanguneri Taluk,
Nanguneri.

3. Vasantha Selvanayagam

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st and 2nd Respondents to remove the encroachment put up by the 3rd Respondent at water body area in Survey Nos. 109/1 24/1 25/3 and 26 at Nallapithan Odai and Nallapithan Kulam, Thalapathi Samuthiram Village (Part II) Nanguneri Taluk, Tirunelveli District on or before a date specified by this Court in the light of the order of the 1st respondent in Na.Ka. G3/22560/12 dated 13.02.2014.

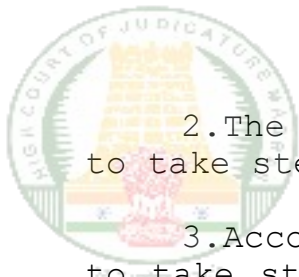
For Petitioner : Mr.S.Chinnan

For Respondents : Mr.M.Govindan, Spl.G.P. For RR1 and 2
Mrs.Anbarasi Dhanaseelan for
Mr.C.Dhanaseelan for R3

O R D E R

(Order of the Court was made by G.R.SWAMINATHAN, J.)

The writ petitioner seeks direction for removal of the encroachment said to have been put up by the third respondent in the water body area in Survey Nos. 109/1,24/1,25/3 and 26 at Nallapithan Odai and Nallapithan Kulam, Thalapathi Samuthiram Village (Part II), Nanguneri Taluk, Tirunelveli District. The writ petitioner had already given representation on 16 December 2013 to the first respondent in this regard.



2.The first respondent had also directed the second respondent to take steps for removal of the encroachment.

3.Accordingly, a direction is issued to the second respondent to take steps for removal of the encroachment in the water body in question. It is needless to state that the second respondent shall issue notice to the alleged encroacher or encroachers, if any before taking any such action and follow due process of law. The entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

4.The writ petition is disposed of with the above direction.
No costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Tahsildar,
Nanguneri Taluk,
Nanguneri.

+ 1 CC TO Mr.C.DHANASEELAN, ADVOCATE IN SR No. 68728

SKM/ARUL
TE/GT/SAR-II : 09/08/2017 : 2P/4C

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