



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12 .07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No. 10439 of 2017

M.Marimuthu

... Petitioner

vs.

1.The District Collector,
Tirchy District, Tirchy.

2.The Tahsildar,
Thiruverampur Taluk,
Trichy District.

3.The Chief Engineer,
Public Works Department,
Trichy District.

4.The Pastor,
Benthekosthe Thirusabai,
Valavanthakottai Village,
Thiruverampur Taluk,
Trichy District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to remove the encroachments which are situated at Nathikulam lake, the water body in survey No.289 Valavanthakottai Village, Thiruvarampur Taluk, Trichy Disitric.

For Petitioner : Mr.R.Satish

For Respondents : Mr.Govindan

Spl.Govt. Pleader for R1 to R3

O R D E R

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

The petitioner filed this writ petition to direct the respondents 1 to 3 to remove the encroachment stated to have been put up by the fourth respondent covering the water body in Survey No.289, Valavanthakottai Village, Thiruvarampur Taluk, Trichy District.



2. We direct the Chief Engineer / third respondent herein to designate the jurisdictional Engineer to conduct an enquiry in the matter. It is open to the jurisdictional Engineer to call upon the Tahsildar, Thiruvarampur Taluk, to survey the land. The officer, who is designated by the third respondent is directed to take appropriate action, taking into account the report submitted by the Tahsildar.

3. However, we make it clear that before taking any action in the matter, notice should be issued to the fourth respondent. The petitioner is directed to forward a copy of representation dated 01 June 2017 to the respondent so as to enable the concerned authority to designate the concerned Engineer, to take action for eviction.

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

Sd/-
Assistant Registrar (RTI)

/ True Copy /

Sub Assistant Registrar (C.S.)

To

1. The District Collector, Tiruchy District, Tiruchy.

2. The Tahsildar, Thiruverampur Taluk, Trichy District.

3. The Chief Engineer, Public Works Department, Trichy District.

+1cc to M/S.R.SATHISH, Advocate SR.No.64872

+1cc to Special Government Pleader, SR.No. 65585

Arul /skm

MAS/SKN-RSK/SAR2:26.07.2017:2P-6C

W.P. (MD) No. 10439 of 2017
12.07.2017