



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.12122 of 2017

S.Anandakrishnan

.. Petitioner

Vs.

1. The State of Tamil Nadu,
rep. By its Secretary,
Commissioner of Land Administration,
Chepauk, Chennai 600 005.
 2. The District Collector,
Collectorate,
Tirunelveli District,
Tirunelveli.
 3. The Revenue Divisional Officer,
Tirunelveli, Collectorate,
Kokkirakulam,
Tirunelveli District.
 4. The Tahsildar,
Tirunelveli Taluk,
Tirunelveli District.
- .. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents NO.2 to 4 to remove the encroachments made in T.S.Nos.520 and 546 Sindupoondurai Village, Block No.7, Ward NO.11, Tirunelveli classified as "Odai" (Water Body) and to restore the water channel and water body in light of the judgment of this Court in L.Krishnan Vs State of Tamil Nadu 2005 4 CTC 1.

For petitioner : Mr.E.Marees Kumar

For Respondents : Mr.M.Govindan
Special Government Pleader



O R D E R

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

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The petitioner has filed this writ petition to direct the respondents to remove the encroachment put up by the influential people in T.S.Nos.520 and 546, Sindupoondurai Village, Block No.7, Ward No.11, Tirunelveli, as expeditiously as possible.

2.We have heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

3.We direct the Tahsildar, Tirunelveli Taluk, the fourth respondent herein, to consider and dispose of the representation submitted by the petitioner, dated 09.05.2017, on merits and as per law, after issuing notice to all the encroachers. Such exercise shall be completed within a period of six months from the date of receipt of a copy of this order.

4. We make it clear that the Principles of natural Justice shall be followed by the Tahsildar while passing the orders for removal of encroachment.

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

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To:

1. The Secretary,
Commissioner of Land Administration,
Chepauk, Chennai 600 005.
2. The District Collector,
Collectorate,
Tirunelveli District,
Tirunelveli.
3. The Revenue Divisional Officer,
Tirunelveli, Collectorate,
Tirunelveli District.



4. The Tahsildar,
Tirunelveli Taluk,
Tirunelveli District.

+1cc to Mr.Ajmal Associates,Advocate in SR.No.64276

+1cc to Special Government Pleader in SR.No.64459

W.B.C.P.
rj2/sm

AE/MR KKR/SAR2/18.07.2017/3P/7C

ORDER MADE IN
W.P (MD) No.12122 of 2017
07.07.2017