

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Dated : 12.09.2017****CORAM :****THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P (MD) No.15313 of 2017**

Gururaj

... Petitioner

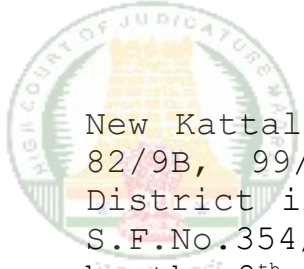
Vs.

1. The District Collector,
Trichy District, Trichy.
2. The Tahsildar, Thiruverumbur Taluk,
Trichy District.
3. The Superintending Engineer,
Public Works Department,
Water Resources Organisation,
Middle Cauvery Basin, Trichy.
4. The Executive Engineer,
Public Works Department,
Water Resources Organisation,
River Conservancy Division,
Trichy.
5. The Assistant Executive Engineer,
Public Works Department,
Water Resources Organisation,
Kattalai Pullampadi Sub Division,
Trichy - 01.
6. The District Collector,
Pudukkottai District, Pudukkottai.
7. The Tahsildar, Kulathur Taluk,
Pudukkottai District.

8.Mohammed Yunus

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 7 to remove the encroachment in southern bund of



New Kattalai High level channel in S.F.No.128/1D, 128/1B, 129/1A, 82/9B, 99/2B2, 98/1B2, 97/2B, 130/1 of Gundur Village, Trichy District in S.F.No.97/5 of Gundur Village, Trichy District and in S.F.No.354/3 of Kumaramangalam Village, Pudukkottai District made by the 8th respondent and secure the water body and the public land based on the petitioner's representation dated 21.02.2017 and 24.04.2017.

For Petitioner : Mr.A.N.Ramanathan for Mr.M.Suresh

For Respondents : Mr.T.S.Md.Mohideen, AGP.
for RR1 to 7

Mr.M.Palani for R8

O R D E R

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

The writ petitioner seeks removal of the encroachment said to have been made in the southern bund of New Kattalai High Level Channel in S.F.No.128/1D, 128/1B, 129/1A, 82/9B, 99/2B2, 98/1B2, 97/2B, 130/1 of Gundur Village, Trichy District in S.F.No.97/5 of Gundur Village, Trichy District and in S.F.No.354/3 of Kumaramangalam Village, Pudukkottai District.

2.The allegations are made against the 8th respondent herein. The writ petitioner has given a representation dated 21.02.2017 and a reminder on 24.04.2017. The second respondent herein has to undertake the survey in this regard. The second respondent is directed to conduct survey of the disputed area in question. He shall give notice to the contesting parties. If the results of the survey discloses the commission of encroachments, the competent authority of the Public Works Department shall take action for removing the same. The concerned authority shall cause removal of the encroachment only after issuing notice to the 8th respondent and by following the statutory procedure. The entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

3.This writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar



To

1.The District Collector,
Trichy District, Trichy.

2.The Tahsildar, Thiruverumbur Taluk,
Trichy District.

3.The Superintending Engineer, Public Works Department,
Water Resources Organisation,
Middle Cauvery Basin, Trichy.

4.The Executive Engineer, Public Works Department,
Water Resources Organisation,
River Conservancy Division, Trichy.

5.The Assistant Executive Engineer, Public Works Department,
Water Resources Organisation,
Kattalai Pullampadi Sub Division,
Trichy - 01.

6.The District Collector, Pudukkottai District, Pudukkottai.

7.The Tahsildar, Kulathur Taluk, Pudukkottai District.

+1 cc to Mr.M.Suresh , Advocate in SR.No. 78375

+1 cc to Mr.M.Palani , Advocate in SR.No. 78920

+1 cc to The Special Government Pleader in SR.No.78791

Skm/Arul

AE/KP/SAR3/22.09.2017/3P/10C

W.P (MD) No.15313 of 2017
12.09.2017