



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P(MD)No.1650 of 2017

WEB COPY

R.Varadharajan,
President,
Manapparai Naidu Mahajana Sangam,
No.229/B9, Karikankulam Street,
Dhulasi Illam, Manapparai,
Trichy District.

.. Petitioner

Vs.

1.The District Collector,
Trichy District, Trichy.

2.The Commissioner of Municipal Administration,
Ezhilagam, Chennai.

3.The Tahsildar,
Manapparai Taluk,
Trichy District.

4.The Commissioner,
Manapparai Municipality,
Manapparai, Trichy District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents herein to remove the encroachments made in the Karikankulam Tank and its channel comprised in Survey No.733, Manapparai Town, Manapparai and consequently direct the third respondent to prevent the free flow of drainage water waste into the said Karikankulam Tank on the basis of petitioner's representation dated 31.12.2015.

For Petitioner : M/s.R.Yamuna

For Respondents 1 to 3 : Mr.K.Guru,
Additional Government Pleader.

For Respondent No.4 : Mr.J.Lawrance

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents to remove encroachments alleged to have been made in Karikankulam Tank and



its channel, comprised in Survey No.733, Manapparai Town, Tiruchirappalli District, by way of issuing a writ of mandamus.

2.The learned counsel appearing for the petitioner has contended to the effect that Karikankulam Tank is situate in the midst of Manapparai Town and so many encroachments are in existence in the tank as well as its channels and under the said circumstances a representation has been given on 31.12.2015, but the same has not been disposed of and therefore the present writ petition has been filed for getting the relief sought therein.

3.The learned counsel appearing for the fourth respondent has also contended to the effect that Survey No.733 has been classified as Karikankulam Tank.

4.Considering the fact that as per revenue records Survey No.733 is classified as Karikankulam Tank and also considering the contentions putforth on the side of the petitioner, this Court is inclined to pass the following order.

5.In fine, this writ petition is allowed without costs and the fourth respondent is directed to remove encroachments if any within a period of two months under due process of law.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Trichy District, Trichy.

2.The Commissioner of Municipal Administration,
Ezhilagam, Chennai.

3.The Tahsildar,
Manapparai Taluk,
Trichy District.

4.The Commissioner,
Manapparai Municipality,
Manapparai, Trichy District.

+1cc to Mr.J.Lawrance, Advocate, SR.60669

+1cc to M/S.Special Government Pleader, SR.60437

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