



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.1812 of 2017

Sunderraj

.. Petitioner

Vs.

1.The District Collector,
Kanyakumari District
at Nagercoil.

2.The Revenue Divisional Officer,
Padmanabhapuram, Thuckaly,
Kanyakumari District.

3.The Thasildar,
Vilavancode Taluk,
Kuzhithurai, Kanyakumari District.

.. Respondents

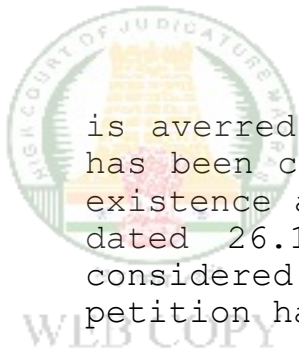
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to remove the encroachment made on the tank bund of Nettikulam @ Nedyakulam Tank comprised in Survey No.158/11 of Kunathoor Village and maintain the said area free from encroachment and from installation of political flag mast and putting any superstructure in any other forms both temporarily and permanently by considering the representation of the petitioner dated 26.12.2016.

For Petitioner : Mr.T.Jeen Joseph
For Respondents : Mr.D.Muruganandam,
Additional Government Pleader.

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 Survey No.158/11, Kunathoor Village, Vilavancode Taluk, Kanyakumari District, by way of issuing a writ of mandamus.



is averred in the petition that Survey No.158/11, Kunathoor Village has been classified as a tank, wherein so many encroachments are in existence and for the purpose of removing the same, a representation dated 26.12.2016 has been given, but the authorities have not considered the same. Under the said circumstances, the present writ petition has been filed for getting the relief sought therein.

3.Mr.D.Muruganandam, learned Additional Government Pleader, has taken notice for the respondents.

4.It is seen from the records that a representation has been given on 26.12.2016 for the purpose of removing encroachments. Further it is seen from the records that Survey No.158/11, Kunathoor Village, has been classified as a tank.

5.Considering the classification of Survey No.158/11 and also considering the fact that already a representation has been given, this Court is inclined to pass the following order.

6.In fine, this writ petition is allowed without costs and the respondents are strictly directed to remove all encroachments which are in existence in Survey No.158/11, Kunathoor Village, Vilavancode Taluk, Kanyakumari District under due process of law within a period of two months.

Sd/
Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar.

To

- 1.The District Collector,
Kanyakumari District
at Nagercoil.
- 2.The Revenue Divsional Officer,
Padmanabhapuram, Thuckaly,
Kanyakumari District.
- 3.The Thasildar,
Vilavancode Taluk,
Kuzhithurai, Kanyakumari District.

+1CC to M/S.T. Jeen Joshph, Advocate, SR.No. 6039
+1CC to the Special Government Pleader, SR.No. 6284

ORDER MADE IN
W.P (MD) No.1812 of 2017
03.02.2017