



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.10387 of 2016

S.Leela Sydneys

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. Executive Engineer PWD (WRO),
Kothihaar Reservaryar Project Nagercoil.
3. Executive Engineer PWD (WRO),
Nagercoil,
Kanyakumari.
4. The Thasildhar,
Agastheeswaram Taluk,
Nagercoil.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st and 2nd respondent to remove the encroachment on the water passage and may enable the petitioner to use said water course for carrying water and agriculture yield from his land to road on the basis of the representation of this petitioner dated 22.11.2012.

For Petitioner

: M/S.Karthigapriya
for K.P.Narayanakumar

For Respondents

: Mr.M.Govindan
Special Government Pleader

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

The writ petitioner seeks removal of the encroachment on the water passage in Pulluvillai, Parakai Post, Kanyakumari District.

2.It is alleged that encroachers have annexed the water canal by fencing along with the water bodies. The writ petitioner has given representation dated 22.11.2012 in this regard. But no action was taken.



3. This Court therefore directs the second and fourth respondents herein to enquire into the matter and if any encroachment is noticed, to cause its removal, after issuing notice to the concerned parties and after following the statutory procedure. The entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

4. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. Executive Engineer PWD (WRO),
Kothiyaar Reservaryar Project Nagercoil.
3. Executive Engineer PWD (WRO),
Nagercoil,
Kanyakumari.
4. The Thasildhar,
Agastheeswaram Taluk,
Nagercoil.

+1cc to K.P.Narayanakumar, Advocate Sr.No.75420

RMI/PSD

VB/MR/KKR/SAR4/13/11/2017/2P/6C

ORDER MADE IN

W.P. (MD) No.10387 of 2016

30.08.2017