



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2017

CORAM:

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

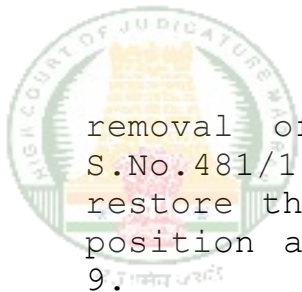
W.P (MD) No.3591 of 2017
and
W.M.P (MD) No.2903 of 2017

T.Karuppiah @ Karuppa Velar .. Petitioner

Vs.

- 1.Principal Secretary of Tamil Nadu Government,
Secretariat, Fort St. George, Chennai.
- 2.Chief Superintendent Engineer,
PWD, Department, Office of PWD,
Secretariat, Fort St. George, Chennai.
- 3.The District Collector,
Office of District Collector,
Madurai.
- 4.Tahsildar, Melur Taluk,
Madurai District.
- 5.Executive Engineer,
PWD, Water Resource Division,
Melur Division, Madurai District.
- 6.Assistant Engineer,
PWD, Water Resource Division,
Melur Division, Madurai District.
- 7.Assistant Engineer,
Tamil Nadu Electricity Production and Distribution Board,
Karunkalakudi PO, Melur Taluk, Madurai District.
- 8.K.Azhagan,
- 9.C.Ganesan .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the
<https://hcservices.ecourts.gov.in/hcservices/>
Constitution of India praying for the issuance of a Writ of
Mandamus directing the respondents 1 to 7 to take steps for



removal of encroachments in Azhagapuri Tank(KULAM) situate in S.No.481/1, Ayyapatti Village, Melur Taluk, Madurai District and restore the Azhagapuri Tank and its water course to its original position after removal of encroachment made by respondents 8 and 9.

WEB COPY

For Petitioner

: Mr.K.Muraleedharan

For Respondents 1 to 7

: Mr.M.Govindan

Special 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 1 to 7 to remove encroachments which are in existence in Survey No.481/1 Ayyapatti Village, Melur Taluk, Madurai District, by way of issuing a writ of mandamus.

2.Mr.M.Govindan, learned Special Government Pleader, has taken notice for the respondents 1 to 7. Considering the nature of the relief sought in the writ petition and also classification of Survey No.481/1, notice need not be sent to the remaining respondents.

3.It is seen from the records that Survey No.481/1 has been classified as a tank.

4.The main contention putforth on the side of the petitioner is that in Survey No.481/1, so many encroachments are in existence.

5.Considering the classification of Survey No.481/1 and also considering the contention putforth on the side of the petitioner, this Court is inclined to pass the following order.

6.In fine, this writ petition is allowed without costs and the respondent 4 and 5 are directed to conduct proper survey in respect of Survey No.481/1, Ayyapatti Village, Melur Taluk, Madurai District and if any encroachment is in existence, directed to remove the same under due process of law within a period of two months. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/



- 1.The Principal Secretary,
Government of Tamil Nadu,
Secretariat, Fort St. George, Chennai.
- 2.The Chief Superintendent Engineer,
PWD, Department, Office of PWD,
Secretariat, Fort St. George,
Chennai.
- 3.The District Collector,
Office of District Collector,
Madurai.
- 4.The Tahsildar,
Melur Taluk,
Madurai District.
- 5.The Executive Engineer,
PWD, Water Resource Division,
Melur Division, Madurai District.
- 6.The Assistant Engineer,
PWD, Water Resource Division,
Melur Division, Madurai District.
- 7.The Assistant Engineer,
Tamil Nadu Electricity Production and Distribution Board,
Karunkalakudi PO, Melur Taluk, Madurai District.
- +1 cc to MR.K.MURALEEDHARAN, Advocate SR.No.12011
- +1 cc to Special Government Pleader SR.No.11934

ORDER MADE IN
W.P (MD) No.3591 of 2017
and
W.M.P (MD) No.2903 of 2017
01.03.2017

SMA/SKN-RSK/07.03.2017:3P/10C