

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 14.07.2017

CORAM:

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

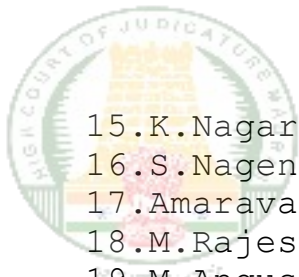
**W.P. (MD) No.6589 of 2017
and
W.M.P. (MD) .No.5178 of 2017**

K.Jeganathan

... Petitioner

Vs.

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The District Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.
3. The Revenue Divisional Officer,
Ramanathapuram Taluk,
Ramanathapuram District, .
4. The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District, .
5. The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram,
Ramanathapuram District.
- 6.T.Muruganantham
- 7.G.Panchavarnam
- 8.Dharmarajan
- 9.R.Hariram
- 10.Latha
- 11.P.Harikrishnan
- 12.M.Neelamegasamy
- 13.S.Chandrasekaran
- 14.D.Valli



15.K.Nagarajan
16.S.Nagendren
17.Amaravathy
18.M.Rajeswari
19.M.Angusamy
20.M.Thetchinamoorthy
21.V.Kalaiarshi
22.Senthilkumar
23.Rajesh
24.Govindan
25.K.R.Sannashi Marbles
26.M.Ganesan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent Nos.1 to 5 to remove the illegal encroachment made by the Respondent Nos.6 to 26 on the public water tank situated in Town Survey No.96 to an extent of 0.6350.0 Sqft. in ward No.12 which is popularly known as Throwpathy Amman Oorani in Ramanathapuram, Ramanathapuram District. Since the Respondent Nos.6 to 26 have encroached the public water tank by the way of erecting thatched structures. The said encroachment is affecting the public, since it is the only water body available in our vicinity, within the time stipulated by this Hon'ble Court, by considering petitioner's representation dated 22.09.2015 and 20.03.2017.

For petitioner	: Mr.A.R.Nambunayagam
For respondents 1 to 4	: Mr.M.Govindan Spl. Government Pleader
For Respondent No.5	: Mr.A.Kannan
For Respondents 6 to 15, 17&18	: Mr.R.Sundar
For Respondents 19 to 22, 24&25	: No appearance

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner filed this Writ Petition to remove the encroachment stated to have been caused by the respondents 6 to 26, in respect of the land in Town Survey No.96, Throwpathy Amman Oorani in Ramanathapuram, Ramanathapuram District.

2.We direct the respondents 4 and 5 to consider the representation submitted by the petitioner dated 22.09.2015, on merits and as per law, after issuing notice to the respondents 6 to 26 and other encroachers, if any. Such exercise shall be completed within a period of four months from the date of receipt of a copy of this order.



3. The Writ Petition is disposed of with the above direction. No costs. Consequently, the connected Miscellaneous Petition is closed.

WEB COPY

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The District Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.
3. The Revenue Divisional Officer,
Ramanathapuram Taluk,
Ramanathapuram District, .
4. The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District, .
5. The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram,
Ramanathapuram District.

+1cc to M/S. A.R.NAMBUNAYAGAM, Advocate, SR.No.66203.
+1cc to M/S. V.RAGHAVACHARI, Advocate, SR.No.66096.
+1cc to M/S. R.SUNDAR, Advocate, SR.No.65535.
+1cc to Special Government Pleader, SR.No.66092.

ORDER MADE IN
W.P. (MD) No.6589 of 2017
14.07.2017