



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 29.08.2017

CORAM :

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND**

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.21171 of 2016

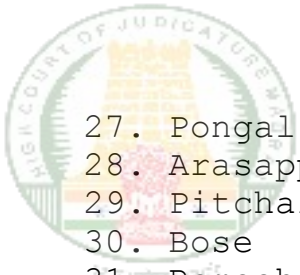
Karuppanan

... Petitioner

Vs.

1. The District Collector,
Dindigul District, Dindigul.
2. The Revenue Divisional Officer,
Natham Taluk, Dindigul District.
3. The Tahsildar, Natham Taluk,
Dindigul District.
4. The Block Development Officer,
Natham Panchayat Union,
Natham, Dindigul District.
5. The President, Lingavadi Panchayat,
Natham Taluk, Dindigul District.

6. Ramaiah
7. Perialagan
8. Petchiammal
9. Bose
10. Palaniyandi
11. Periyakaruppan
12. Pushpam
13. Seeni
14. Periyakaruppan
15. Rajammal
16. Ariyanachi
17. Karuppaiah
18. Alagu
19. Thavamani
20. Anbuselvam
21. Vadivu
22. Panju
23. Murugan
24. Ilangu Ammal
25. Periyakkar
26. Packiyam



27. Pongal Raja
28. Arasappan
29. Pitchaimmal
30. Bose
31. Ramesh
32. Muthukamu
33. Govindan
34. Saravanan
35. Andichamy
36. Krishnan Perumal
37. Kamatchi
38. Gurunathan
39. Irulandi
40. Uthaman
41. Kanaraj
42. Murugan
43. Manikodi
44. Shenbagavalli
45. V.S.Power
46. V.S.Maharajan
47. Karu.Maharajan
48. Kannan
49. Parthipan
50. Chinna Alagi
51. Vellaimmal
52. Kallanai
53. Alagu
54. Vetrivelan
55. Natarajan
56. Dhulkarnai

(R6 to R56 are impleaded vide
Court order dated 13.06.2017 in
WMP(MD)No.18021 of 2016)

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to remove the encroachments and also to take appropriate action to remove the encroachments and also to take appropriate action to Dredge the 1)Swaminatha Pillai Kulam 2)Kovil Orani Salai 3)Sirukulam 4)Raman Kulam 5)Kurali Orani 6) Kallampattiyan Kulam 7)Chinna Gounden Kulam 8)Muthankulam 9)Vannan Orani 10)Mandhai Gounden Kulam 11)Vaithiyanathapillai Kulam 12) Sankaralingam Pillai Kulam situated at Lingavadi Village, Natham Taluk, Dindigul District on the basis of the petitioner's representation dated 12.09.2016.

For Petitioner : K.Prabhakaran

For Respondents : Mr.M.Govindan,

Spl.G.P. For RR1 to 3
Mr.Karthick Raja for



WEB COPY

Mr.J.Gunaseelan Muthaiah for R4
Mr.G.Mohankumar for
Mr.R.Vijayakumar for RR6 to R13,
15, 16, 18 to 24, 26 to 28,
31, 37 and 38
No Appearance for RR5 14, 17, 25, 29,
30, 32 to 36, 39 to 56.

O R D E R

(Order of the Court was made by G.R.SWAMINATHAN, J.)

The writ petitioner seeks a direction for removal of encroachments in the water bodies mentioned in the writ petition. He also wants them to be dredged. He has given a representation dated 12.09.2016 in this regard. Since no action was taken, the present writ petition came to be filed.

2.During the course of the proceedings, a submission was made that 2 C patta has been issued in favour of number of persons. The object of issuing 2 C patta is to enable the Pattadhar to enjoy the usufructs. In other words, the usufructs of the trees growing in a Government land can be taken by the holders of the 2 C patta. The said 2C patta is not intended to enable the persons to make encroachment on water bodies.

3.This Court therefore directs the third respondent to enquire into the representation of the petitioner. If encroachment is noticed, action shall be taken for removal of the same, of course, after issuing notice to the alleged encroachers. The entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

4.This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul District, Dindigul.
2. The Revenue Divisional Officer,
Natham Taluk, Dindigul District.
3. The Insilidar, Natham Taluk,
Dindigul District.



4. The Block Development Officer,
Natham Panchayat Union,
Natham, Dindigul District.

+ 1 CC TO MR.K.Prabhakaran, ADVOCATE IN SR No.75498

+ 1 CC TO MR.R.Vijayakumar, ADVOCATE IN SR No.75260

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.75756

skm/aul

MK/SKN RSK/SAR-1/12.10.2017/4P/8C

W.P(MD)No.21171 of 2016

29.08.2017