



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2017

CORAM :

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THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.24754 of 2016
and
W.M.P (MD) .No.17891 of 2016

M.Kanchana

... Petitioners

vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Superintending Engineer (Admin),
Periyar-Vaigai Irrigation Project,
Public Works Department,
Thallakulam, Madurai-02.

3.The District Revenue Officer,
District Collector Office,
Madurai.

4.The Tahsildar,
Vadipatti Taluk,
Vadipatti, Madurai District.

5.The Block Development Officer,
Alanganallur Panchayat Union,
Alanganallur District.

6.M.Subiramani Nadar
7.R.Velusamy
8.P.Natarajan
9.R.Sivarajamani
10.K.Velusamy

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 5 herein to remove the encroachment mad by the respondents 6 to 10 in irrigation channels in S.NOS.214 and 215, situated at Muduvarpatti Village, Vadipatti Taluk, Madurai District within the time frame.



For Petitioner
For Respondents

: Mr.G.Mohankumar
: Mr.M.Govindan,
Spl.Govt.Pleader for R1 to R4
Mr.Ayiram K.Selvakumar for R5.

O R D E R

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

The petitioner has filed this writ petition seeking a direction for removal of encroachments made by the private respondents herein in survey Nos.214 and 215, situated at Muduvarpatti Village, Vadipatti Taluk, Madurai District.

2.The Tahsildar, Vadipatti Taluk in his communication bearing Na.Ka.No.A3/259/2017 dated 09 January, 2017 has stated that site inspection was conducted and it was found that survey No.214 is a patta land and that S.No.215 is a cart track and that there were some encroachments in the cart track and that they had been removed.

3.The learned counsel appearing for the petitioner would still contend that his grievance with regard to the flow of water in the irrigation channel in question is yet to be redressed. According to him, it was being blocked on account of the encroachments committed by the private respondent herein. We permit the petitioner to submit a comprehensive representation to the Tahsildar, Vadipatti Taluk, who shall look into the same and take appropriate action in accordance with law after due notice to the interested parties. The Tahsildar shall complete the exercise within two months from the date of receipt of such representation.

4.This writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector, Madurai District, Madurai.

2.The Superintending Engineer (Admin),
Periyar-Vaigai Irrigation Project, Public Works Department,
Thallakulam, Madurai-02.

3.The District Revenue Officer, District Collector Office,
Madurai.

4.The Tahsildar, Vadipatti Taluk, Vadipatti, Madurai District.

5.The Block Development Officer, Alanganallur Panchayat Union,
Alanganallur District.

+One cc to Mr.R.Vijayakumar, Advocate, SR.No.65557

+One cc to The Special Government Pleader, SR.No.66125

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and

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