



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.07.2017

CORAM:

**THE HONOURABLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND**

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.[MD].No.3447 of 2016

S.M.Anthony Muthu

: Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Tahsildar,
Kalkulam Taluk,
Thuckalay,
Kanyakumari District.

3.The Executive Engineer,
Kodayar Basin Irrigation System,
Water Resources Organization,
Public Works Department,
Nagercoil.

4.The Assistant Engineer,
Irrigation (Special) Section,
Water Resources Organization,
Public Works Department,
Thuckalay,
Kanyakumari District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to survey, demarcate the boundaries and remove the encroachments in the water bodies in R.S.No.93, 94/2, 100/1, 100/2, 100/3, 381, 382/3, 383/1, 384/2, 384/3 and 384/4 of Aloor Village, Kalkulam Taluk, Kanyakumari District, on the basis of the revenue records.

For Petitioner

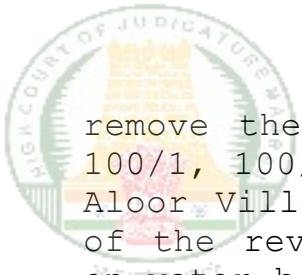
: Mr.C.T.Perumal

For Respondents

: Mr.M.Govindan,
Special Government Pleader

O R D E R

[Order of the Court was made by **The Hon'ble Chief Justice.**]



remove the encroachments in the water bodies in R.S.No.93, 94/2, 100/1, 100/2, 100/3, 381, 382/3, 383/1, 384/2, 384/3 and 384/44 of Aloor Village, Kalkulam Taluk, Kanyakumari District, on the basis of the revenue records. No person can encroach into or construct on water bodies.

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2. The respondents shall forthwith inspect the water bodies in question, if the same has not already been done, upon notice to the concerned encroachers and take action for removal of encroachment, if any, in accordance with law, within four months from the date of communication of this order. In case, there are encroachers, whose identities are not known, notice may be issued by publication in a vernacular newspaper having wide circulation in the locality.

3. This writ petition is, accordingly, disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The Tahsildar,
Kalkulam Taluk,
Thuckalay,
Kanyakumari District.
- 3.The Executive Engineer,
Kodayar Basin Irrigation System,
Water Resources Organization,
Public Works Department,
Nagercoil.
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Irrigation (Special) Section,
Water Resources Organization,
Public Works Department,
Thuckalay,
Kanyakumari District.

W.P. (MD) .No.3447 of 2016
24.07.2017

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