



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.4416 of 2016

and

W.M.P. (MD) .No.3966 of 2016

S.Lakshmanan

: Petitioner

Vs.

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Revenue Divisional Officer,
Devakottai, Sivagangai District.

3.The Tahsildar,
Karaikudi Taluk,
Karaikudi, Sivagangai District.

4.The Block Development Officer,
Sakkottai Panchayat Union,
Sakkottai, Sivagangai District.

5.The President,
Illuppakudi Panchayat,
Sakkottai Panchayat Union,
Sakkottai, Sivagangai District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents herein from constructing any building in Pillai Vilunthan Kanmai in S.No.50 in Illuppakudi Vilage, Karaikudi Taluk, Sivagangai District and consequently direct the respondents herein to protect the said Pillai Vilunthan Kanmai from any encroachment.

For Petitioner : Mr.K.Hemakarthikeyan

For Respondents 1 to 3 : Mr.M.Govindan

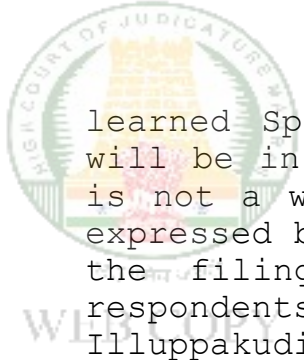
Special Government Pleader

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

This writ petition has been filed for forbearing the respondents from constructing any building in Pillai Vilunthan Kanmai in S.No.50 in Illuppakudi Vilage, Karaikudi Taluk, Sivagangai District.

2.According to the writ petitioner, the said land is a water body. When the case came up for disposal, it was submitted by the



learned Special Government Pleader that the proposed construction will be in Survey No.31 and not in Survey No.50. The Survey No.31 is not a water body, it is a public land. Since the apprehension expressed by the writ petitioner is without any basis and in view of the filing of memo dated 16.08.2017 filed on behalf of the respondents that the construction will be in survey No.31, Illuppakudi Vilage, nothing survives for adjudication.

3.The Writ Petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
- 3.The Tahsildar,
Karaikudi Taluk,
Karaikudi,
Sivagangai District.
- 4.The Block Development Officer,
Sakkottai Panchayat Union,
Sakkottai, Sivagangai District.
- 5.The President,
Illuppakudi Panchayat,
Sakkottai Panchayat Union,
Sakkottai,
Sivagangai District.

+1cc to Mr.K.HEMAKARTHIKEYAN Advocate in SR. No. 73131
+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 72941

tsg
JS/MR.KKR/SAR.2/6.10.2017/3P-8C

Order made in
W.P. (MD) No.4416 of 2016
and
W.M.P. (MD) .No.3966 of 2016
dated: 16.08.2017