

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 12.06.2018
CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.619 of 2018

R.Lavan

... Petitioner

Vs.

- 1.The District Collector,
Cuddalore District.
- 2.The Executive Engineer,
(Water Resources Department),
Irrigation Division,
Public Works Department,
Cuddalore District.
- 3.The Revenue Divisional Officer,
Cuddalore District.
- 4.The Tahsildar,
Panruti, Cuddalore District.
- 5.The Revenue Inspector,
Nellikuppam Post,
Panruti Taluk, Cuddalore District.
- 6.The Village Administrative Officer,
Thattampalayam Village & Post,
Panruti Taluk, Cuddalore District.
- 7.The Inspector of Police,
Panruti Police Station,
Cuddalore District.

8.Mahadevan
9.Raguraman

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directs the respondents 1 to 6 to remove the illegal encroachments in the public water canal descending from small sluice gate valve (water canal from 3rd Sluice gate) and passing through the lands in Survey Nos.183, 184, 180, 152, 153 at Thattampalayam Village, Panruti Taluk, Cuddalore District and to remove the dump made by the Mahadevan

and Raguraman (8th and 9th respondents) in the water canal and lay or built the shore boundaries properly on both sides of the water canal.

For Petitioner : Mr.D.Senthilkumaar

For Respondents : Mr.A.N.Thambidurai,
Special Government Pleader

O R D E R

(Order of the Court was made by M.SATHYANARAYANAN, J.)

The petitioner, who claims to be an agriculturist, came forward to file this writ petition seeking a Writ of Mandamus directing the respondents 1 to 6 to remove the illegal encroachments in the public water canal descending from small sluice gate valve (water canal from 3rd Sluice gate) and passing through the lands in Survey Nos.183, 184, 180, 152, 153 at Thattampayam Village, Panruti Taluk, Cuddalore District and to remove the dump made by the respondents 8 and 9 in the water canal and lay or built the shore boundaries properly on both sides of the water canal.

2. Notices were ordered in the writ petition on 10.01.2018. The second respondent has filed a report dated 18.04.2018 along with supporting type set of documents and it is relevant to extract paragraph No.2 of the said report:

"2. The 2nd Respondent submit that the encroachments made in the field channel passing through the lands in survey Nos.183, 184, 180, 152 & 153 has been completely removed as per the Tamilnadu Protection of Tanks & Eviction of Encroachment Act, 2007 with the assistance from the Revenue and Police Department on 06.04.2018 and 07.04.2018. The 2nd Respondent further states that dump made by the 8th and 9th respondents in the field channel has also been removed and the boundary stones has been laid properly on the boundaries. The photographs showing the removing of encroachments have enclosed herewith for the kind reference."

3. Mr.A.N.Thambidurai, learned Special Government Pleader appearing for the respondents would submit that since encroachments have been removed, nothing survives for adjudication in this writ petition.

4. The learned counsel appearing for the petitioner would submit that in the light of the said development, this writ petition may be closed.

5. This Court has considered the submissions made and also perused the report filed by the second respondent along with supporting documents.

6. The report of the second respondent dated 18.04.2018 coupled with the supporting typed set of documents would indicate that encroachments in question have been removed and therefore, nothing survives for further adjudication in this writ petition. Therefore, this Writ Petition is closed. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

jvm

To

1.The District Collector,
Cuddalore District.

2.The Executive Engineer,
(Water Resources Department),
Irrigation Division, Public Works Department,
Cuddalore District.

3.The Revenue Divisional Officer,
Cuddalore District.

4.The Tahsildar,
Panruti, Cuddalore District.

5.The Revenue Inspector,
Nellikuppam Post,
Panruti Taluk, Cuddalore District.

6.The Village Administrative Officer,
Thattampalayam Village & Post,
Panruti Taluk, Cuddalore District.

7.The Inspector of Police,
Panruti Police Station,
Cuddalore District.

+1cc to Government Pleader Sr.No.37510

+1cc to Mr.D.Senthilkumar, Advocate Sr.No.36906

sm:21.6.2018

W.P.No.619 of 2018