

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.04.2018

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE P.RAJAMANICKAM

WP.No.9645/2018

P.Parameswaran

Petitioner

Versus

1.The District Collector
Thiruvarur District.

2.The Revenue Divisional Officer
Thiruvarur District.

3.The Tahsildar
Mannargudi Taluk,
Thiruvarur District.

4.The Revenue Inspector
Mannargudi, Thiruvarur.

5.The Village Administrative Officer
Perukavazhnthan Village,
Mannargudi Taluk,
Thiruvarur District.

Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to consider the petitioner's representation dated 19.03.2018 and consequently direct the respondents to remove the encroachment on the water channel at Perukavazhnanthan Village, Mannargudi Taluk, Thiruvarur District.

For Petitioner : Mr.G.Muthukumar

For Respondents: Mr.A.N.Thambidurai, Spl.GP

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.,]

By consent, the writ petition is taken up for final disposal. Mr.A.N.Thambidurai, learned Special Government Pleader accepts notice on behalf of the respondents.

2 The learned counsel for the petitioner would submit that the present writ petition as Public Interest Litigation and the petitioner, being a public interest litigant, is a resident of Perugavazhnthan Village, Mannargudi Taluk, Tiruvarur District and he has not encroached upon any public land. It is the specific case of the petitioner that there is a small water body, viz., "Thillathan Kuttai" in Perugavazhnthan Village, Mannargudi Taluk and that there are encroachments upon the said water body and a representation in that regard was submitted on 05.03.2018 and as per the On-line Status of the Petition Processing Portal of the State, the Tahsildar - 3rd respondent herein has informed that the encroachments, as pointed out by the petitioner, have been removed vide communication in T.P.22-2018-P3 dated 08.03.2018.

3 The learned counsel for the petitioner would submit that the said information is, per se, wrong for the reason that the encroachments are continue to be there and that apart, there are exotic weeds covering the water body also and therefore, it is obligatory on the part of the official respondents not only to remove the encroachments but also to remove the exotic weeds and restore the water body to its original condition and prays for appropriate orders.

4 The Court heard the submissions of Mr.A.N.Thambidurai, learned Special Government Pleader appearing for the respondents and perused the materials placed before it.

5 This Court, taking into consideration, the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the respondents 3 to 5 to cause a joint inspection of "Thillathan Kuttai" at Perugavazhnthan Village, Mannargudi Taluk, Thiruvarur District, within a period of four weeks from the date of receipt of a copy of this order, with the aid of Revenue Records / Village Accounts and depending upon the survey and inspection, shall take appropriate action, in accordance with law, within a further period of ten weeks thereafter and communicate the decision taken, to the petitioner as well as to the encroachers, if any.

6 The writ petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

AP

<https://hcservices.ecourts.gov.in/hcservices/>

To

- 1.The District Collector
Thiruvarur District.
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Thiruvarur District.
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Thiruvarur District.
- 4.The Revenue Inspector
Mannargudi, Thiruvarur.
- 5.The Village Administrative Officer
Perukavazhnthan Village,
Mannargudi Taluk, Thiruvarur District.

+1cc to Government Pleader Sr.no.30021
+1cc to Mr.G.Muthukumar, Advocate Sr.No.29140

PVS (CO)
sm:11.5.2018

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