

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2018

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.1972 of 2018

A.Jayapal

.. Petitioner

vs.

1.The District Collector,
Namakkal District,
Namakkal.

2.The Executive Engineer,
Public Works Department,
Sarabanga Vadinila Kottam,
Namakkal - 637 003.

3.The Tahsildar,
Namakkal District.

4.The Revenue Divisional Officer,
Namakkal,
Namakkal District.

5.The Village Administrative Officer,
Kattukottai Village Panchayat,
Namakkal District.

6.The Taluk Surveyor,
Rasipuram Taluk,
Rasipuram.

7.Periyasamy

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus to remove the encroachments in the Raja Vaikal leading from the sluice No.2 of Koneripatti Village irrigation lake at Kattukottai village made by the 7th respondent in Old S.Nos.32

and to restore the Raja Vaikal in Old S.No.32 Koneripatti - Kattukottai Village in Rasipuram Taluk, Namakkal District within a time to be fixed by this Hon'ble Court.

For Petitioner : Mr.S.R.Varun Karthik

For Respondents : Mr.T.N.Rajagopalan
Government Pleader (i/c)
for respondent Nos.1 to 6

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This writ petition has been filed seeking removal of encroachments in Raja Vaikal in Old S.No.32, Koneripatti-Kattukottai Village in Rasipuram Taluk, Namakkal District. It is alleged that encroachments have been made by respondent No.7.

2. It is well settled that water bodies cannot be encroached upon.

3. Learned Government Pleader (in-charge) submits that the representation has already been forwarded to the Tahsildar concerned for necessary action.

4. After hearing the respective parties, the writ petition is disposed of by directing the respondent authorities to remove encroachments, if any, found on the water body (Raja Vaikal) in accordance with law, after giving all concerned and in particular the seventh respondent an opportunity of representation/hearing within three months from the date of communication of this order. No costs.

Sd/-

ASSISTANT REGISTRAR

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To:

1.The District Collector,
Namakkal District, Namakkal.

2.The Executive Engineer,
Public Works Department,
Sarabanga Vadinila Kottam,
Namakkal - 637 003.

3.The Tahsildar,
Namakkal District.

4.The Revenue Divisional Officer,
Namakkal, Namakkal District.

5.The Village Administrative Officer,
Kattukottai Village Panchayat,
Namakkal District.

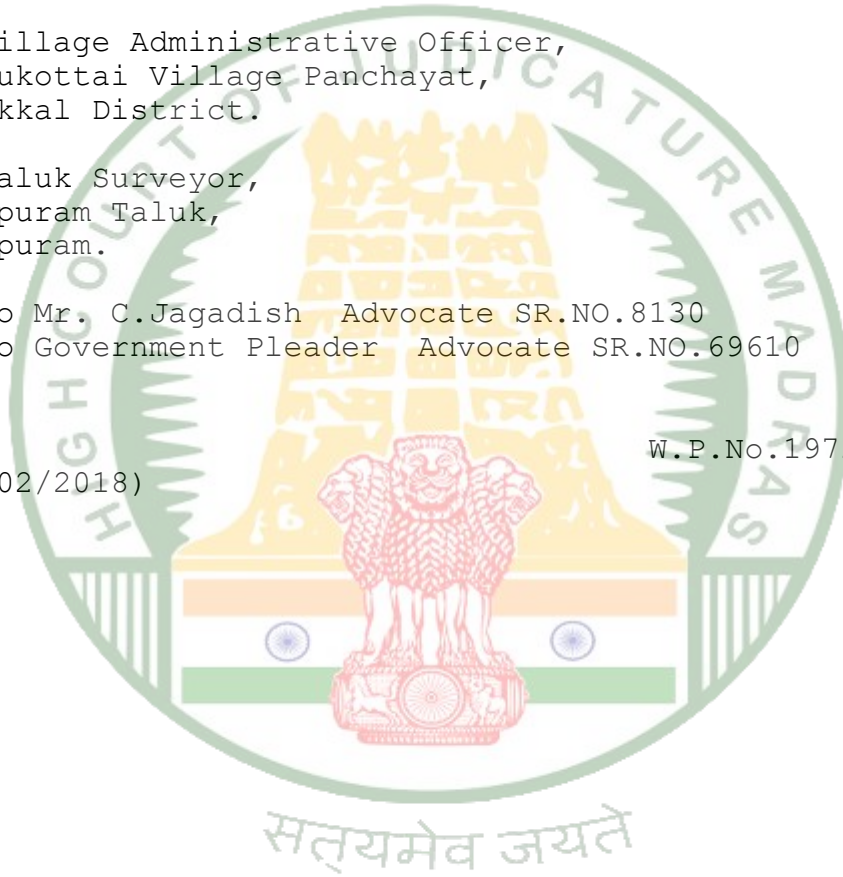
6.The Taluk Surveyor,
Rasipuram Taluk,
Rasipuram.

+2 CC to Mr. C.Jagadish Advocate SR.NO.8130

+1 CC to Government Pleader Advocate SR.NO.69610

VC (17/02/2018)

W.P.No.1972 of 2018



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