



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD) No.13401 of 2018

Gnanasekar

... Petitioner

-vs-

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.
- 3.Ganesan
- 4.Subramanian,
- 5.Petchammai

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st and 2nd respondents to remove the encroachments made in the Periya Oorani Kanmai in S.No.43, Rettaiyan Kanmai and water catchment area of the said Kanmai in S.No.3 and Varathu Channel in S.No.44/1 at Ranasingapuram, Thiruppathur Taluk, Sivagangai District.

For Petitioner : Mr.A.V.Rajasekaran

For Respondents 1 & 2: Mr.N.Shanmugaselvam
Additional Government Pleader

For 3rd Respondent : Mr.R.Sureshkumar

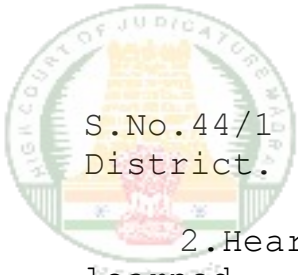
For 4th Respondent : Mr.T.Venkadesh

For 5th Respondent : Mr.T.Kumar

ORDER

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

This writ petition has been filed seeking a direction to the 1st and 2nd respondents to remove the encroachments made in the Periya Oorani Kanmai in S.No.43, Rettaiyan Kanmai and water catchment area of the said Kanmai in S.No.3 and Varathu Channel in



S.No.44/1 at Ranasingapuram, Thiruppathur Taluk, Sivagangai District.

2. Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents 1 and 2, the learned counsels for the respondents 3 to 5.

3. We are not inclined to entertain the Writ Petition since there is no contra submission made on the one made by the 5th respondent that the petitioner has contested in the election for the association of farmers meant to private irrigation against the 5th respondent's son. We also see the photographs produced to show that the houses have been put up long back. There is also 107 proceedings pending between the parties.

4. In view of the above, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS-III)

To

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.

+ 1 CC TO MR.A.V.RAJASEKARAN, ADVOCATE IN SR NO.83602
+ 1 CC TO MR.T.KUMAR, ADVOCATE IN SR NO.83903
+ 1 CC TO SPECIAL GOVERNMENT PLEADER, IN SR NO.84098

SJ

BU/SKN/SAR-III : 12.10.2018 : 2P/6C

W.P. (MD) No.13401 of 2018
11.09.2018