



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 11.08.2018

CORAM:

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

W.P.[MD].No.17868 of 2018

R.Gajendhiran : Petitioner
Vs.

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The District Revenue Officer,
Thanjavur District,
Thanjavur.
- 3.The Executive Engineer,
Public Works Department,
(Water Resources Department),
Vennar Basin Division,
Thanjavur District.
- 4.The Revenue Divisional Officer,
Thanjavur District,
Thanjavur.
- 5.The Tahsildar,
Puthallur Taluk,
Thanjavur District.
- 6.The Block Development Officer,
Thiruvaiyar Taluk,
Thanjavur District.
- 7.The Assistant Executive Engineer,
Vennar Basin Division,
Thanjavur,
Thanjavur District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to remove the encroachment in Putharayanallur Kanmani having extent of 82.10 acres situated in S.No.174A/1, at Putharayanallur Village, Pudhalur Taluk, Thanjavur District, within the time stipulated by this Court on considering the Petitioners representation dated 25.10.2017.



For Petitioner : Mr.A.S.Mathialagan
For Respondents : Mr.K.Saravanan,
Government Advocate for R.1 to R.5 & R.7
Mr.Aayiram K.Selvakumar for R.6

WEB COPY

ORDER

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

This public interest litigation has been filed by the petitioner seeking a direction to the respondents to remove the encroachment made in Putharayanallur kanmai situated in S.No.174A/1, at Putharayanallur Village, Pudhalur Taluk, Thanjavur District.

2. The learned Counsel appearing for the petitioner would submit that the actual extent of the said kanmai is 82.10 acres, however, the same has been reduced to 30 acres. Though on the complaint made by the petitioner, the first respondent called for the particulars from the third respondent and thereafter, earmarked the water body, the encroachment made within that area has not been removed.

3. We have perused the documents available on record.

4. The existence of the encroachment has already been indicated. Therefore, we deem it fit to direct the first respondent to remove all the encroachment, after due notice, either by himself or through the second / fourth / fifth respondents, as the case may be. The needful will have to be done within a period of eight weeks from the date of receipt of a copy of this order.

5. This writ petition is disposed of on the above terms. No costs.

6. Registry is directed to list this matter on 22.10.2018, for reporting compliance. It is made clear that the first respondent shall file an affidavit before this Court, on the said date, regarding compliance.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1.The District Collector,
Thanjavur District,
Thanjavur.



2.The District Revenue Officer,
Thanjavur District,
Thanjavur.

3.The Executive Engineer,
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(Water Resources Department),
Vennar Basin Division,
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4.The Revenue Divisional Officer,
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6.The Block Development Officer,
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7.The Assistant Executive Engineer,
Vennar Basin Division,
Thanjavur,
Thanjavur District.

+1cc to Special Government Pleader, SR.No. 78242

W.P.[MD].No.17868 of 2018
11.08.2018

gk
JM/SKN RSK/SAR 1/21.08.2018/3P/9C