



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2018

CORAM:

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

W.P. (MD) No.18891 of 2017

K.Perumalsamy

... Petitioner

-vs-

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Thasildar,
Srivilliputhur Taluk,
Virudhunagar District.
- 3.The Commissioner,
Srivilliputhur Municipality,
Virudhunagar District.
- 4.The Divisional Engineer,
Public Works Department,
Srivilliputtur,
Virudhunagar District.
- 5.Virudhunagar District Ex. Servicemen Association,
represented by its President,
No.49, Railway Feeder Road,
Srivilliputhur Taluk,
Virudhunagar District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment made by the 5th respondent in the land which is situated in Sr.No.679/1 Ward No.1, Block No.6, Srivilliputhur Town, Taluk, Virudhunagar District based on the communication of the 3rd respondent dated 30.08.2017 in Na.Ka.No.4377/2017/F1.

For Petitioner : Mr.G.R.Satish

For Respondents 1, 2 : Mr.N.Shanmugaselvam
& 4 Additional Government Pleader

For 3rd Respondent : Mr.J.Parekhkumar
for Mr.R.Srinivas

O R D E R

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

This writ petition has been filed seeking direction to the respondents 1 to 4 to remove the encroachment made by the 5th respondent in the land which is situated in Sr.No.679/1 Ward No.1, Block No.6, Srivilliputhur Town, Taluk, Virudhunagar District based on the communication of the 3rd respondent dated 30.08.2017 in Na.Ka.No.4377/2017/F1.

2.Heard the learned counsel for the petitioner, the learned Additional Government Pleader appearing for the respondents 1, 2 & 4 and the learned counsel appearing for the 3rd respondent.

3.The sum and substance of the case of the petitioner is that encroachment has been made on a water body. From the documents produced it appears that respondent No.3 has forwarded the complaint of the petitioner to respondent No.2 for appropriate action in and by proceedings in Na.Ka.No.4377/2017/F1 dated 30.08.2017.

4.Hence, we call upon respondent No.2 to take appropriate action on the said communication of the third respondent dated 30.08.2017 on merits and in accordance with law after due notice to respondent No.4 and other necessary parties, if any. The needful will have to be done within 8 weeks from the date of receipt of a copy of this order.

5.This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(Judicial)

/True Copy/

Sub Assistant Registrar(CS-II)

sj

To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Thasildar,
Srivilliputhur Taluk,
Virudhunagar District.



3. The Commissioner,
Srivilliputhur Municipality,
Virudhunagar District.

4. The Divisional Engineer,
Public Works Department,
Srivilliputtur,
Virudhunagar District.

+1cc to Mr.G.R.Satish, Advocate in SR No.86682
+1cc to Mr.S.Ramasamy, Advocate in SR No.86516
+1cc to Spl Government Pleader, SR No.87183

W.P. (MD) No.18891 of 2017

NM/SKN/SAR II/23.10.18/3P/5C