



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2018

CORAM:

THE HONOURABLE Mr. JUSTICE M.M.SUNDRESH

and

THE HONOURABLE Mr. JUSTICE N.SATHISH KUMAR

W.P. (MD) No.20398 of 2018

K.Subramaniyan

... Petitioner

Vs.

1.The District Collector,
O/o the Collectorate,
Tuticorin District.

2.The District Revenue Officer,
Tuticorin District,
Tuticorin.

3.The Tahsildar,
Kayathar Taluk,
Tuticorin District.

... Respondents

PRAYER: The petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the illegal encroachment of canal in Survey No.324 and 414 / 1 situated in Suriyaminikan Village, Vellalankottai Union, Kayathar Taluk, Tuticorin District made by the wind mill company namely, Suzlon Gujarat Wind Park Ltd., and protect our village water source on the basis of the petitioner's representation dated 12.09.2018.

For Petitioner : Mr.A.Rajaram

For Respondent : Mr.A.K.Baskarapandian, Spl.G.P.

ORDER

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

When the matter is taken up for hearing, the learned Special Government Pleader appearing for the respondents has produced a copy of the communication dated 06.10.2018 sent by the Tahsildar stating that encroachment has been removed.

2.The learned counsel for the petitioner submits that such removal is only a temporary one and there is no dispute as the removed portion is classified as Odai poramboke.



3. In view of the above, the respondent No.3 is directed to maintain the encroachment as such and there shall not be any further encroachment. The Writ petition is disposed of accordingly. No costs.

/True Copy/

Sd/-
Assistant Registrar (CS-III)

Sub Assistant Registrar (CS-IV)

To

1. The District Collector,
O/o the Collectorate,
Tuticorin District.

2. The District Revenue Officer,
Tuticorin District,
Tuticorin.

3. The Tahsildar,
Kayathar Taluk,
Tuticorin District.

• 1 CC TO Mr.A.RAJARAM , ADVOCATE IN SR No. 91027.
+1 cc to Special Government Pleader, SR.No.91130.

NBJ

DS RP SAR4 20 11 2018 2P 6C

•
•

W.P. (MD) No.20398 of 2018