

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2019

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.1498 of 2019 and

W.M.P.No.1671 of 2019

A.Tamilmarai

.. Petitioner

vs.

1 The State of Tamil Nadu
Rep by its Secretary
Public Works Department
Secretariat, Fort. St. George
Chennai- 600 009

2 The Director of Town Panchayat
Chennai

3 The District Collector
Coimbatore District
Office of the District Collector
State bank Road
Coimbatore-641018

4 The Assistant Director of Town Panchayat
Coimbatore

5 Executive Officer
Town Panchayat
Perur, Coimbatore

6 The Executive Engineer
Public Works Department
Water Resources Department
Bhavanisagar Dam
Bhavanisagar - 638 451

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to take appropriate measures to remove encroachments made on the Perur Lake situated in the Perur

Town Panchayat, Coimbatore District, by way of expansion of the road abutting the lake and to prevent any further encroachments on the Perur Lake.

For Petitioner : Mr.S.Vengopalraj

For Respondents : Mr.V.Jayaprakash Narayanan
Government Pleader (i/c)
- for R1 to R6

O R D E R

(Order of the Court made by M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the respondents to take appropriate measures to remove the encroachments made on the Perur Lake situated in the Perur Town Panchayat, Coimbatore District, by way of expansion of the road abutting the lake and to prevent any further encroachments on the Perur Lake.

2. The petitioner has filed the above Writ Petition as Public Interest Litigation apprehending that the respondents are expanding the road, whereby reducing the area of the Lake.

3. Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c) appearing for the respondents 1 to 6, on instructions from Ms.M.Mala, Executive Officer, Perur Town Panchayat, Coimbatore and Mr.G.Elangovan, Assistant Executive Engineer, Perur Town Panchayat, Coimbatore, who are also present in the Court, submitted that the respondents are putting up only a compound wall to prevent the encroachment in the Perur Lake. The learned Government Pleader (i/c) also produced the photographs to establish that the respondents are putting up only compound wall to prevent any encroachment in the perur Lake.

4. We are convinced with the statement made by the learned Government Pleader (i/c).

5. In view of the same, we do not find any reason to entertain the present Writ Petition. Accordingly, the Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

Rj

To

- 1 The Secretary
Public Works Department
Secretariat, Fort. St. George
Chennai- 600 009
 - 2 The Director of Town Panchayat
Chennai
 - 3 The District Collector
Coimbatore District
Office of the District Collector
State Bank Road, Coimbatore-641018
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Coimbatore
 - 5 Executive Officer
Town Panchayat, Perur, Coimbatore
 - 6 The Executive Engineer
Public Works Department
Water Resources Department
Bhavanisagar Dam, Bhavanisagar - 638 451
- +1 cc to Mr.S.Venugopal Raj, Advocate SR.No.5710
+1 cc to The Government Pleader, SR.No.5341

BS(CO)
CSL/18.02.2019

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