

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2019

CORAM

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAISWAMY

W.P.No.20291 of 2018

IN

WMP No.23829 of 2017

T.S.Sakthivel ... Petitioner

Vs.

1 The District Collector
Collectorate
Perambalur
Perambalur District.

2 The Revenue Divisional Officer
Perambalur
Perambalur District.

3 The Tahsildar
Taluk Office
Kunnam Taluk
Perambalur District.

4 P.Karuppan ... Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing respondents 1 to 3 to remove the encroachment made by the 4th respondent in Survey No.181, Odai Poramboke/Vandipathai in Thungappuram Village, Kunnam Taluk, Perambalur District and consequently to direct the 4th respondent not to encroach upon the Odai Poramboke/Vandipathi in Survey No. 181 of Thungapuram Village, Kunnam Taluk, Perambalur District at any point of time.

For Petitioner : Mr.S.Udayakumar

For Respondents : Mr.S.Kamalesh Kannan
Government Advocate
for respondents 1 to 3

Mr.R.Balasubramanian
for 4th respondent

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Heard Mr.S.Udayakumar, learned counsel for the petitioner; Mr.S.Kamalesh Kannan, learned Government Advocate for respondents 1 to 3 and Mr.R.Balasubramanian, learned counsel for the fourth respondent.

2. The petitioner is seeking directions to respondents 1 to 3 to remove the encroachment made by the fourth respondent in Survey No.181, Odai Poramboke/Vandipathai in Thungappuram Village, Kunnam Taluk, Perambalur District.

3. The learned Government Advocate has tendered the affidavit of the first respondent, i.e., the District Collector, Perambalur District, in which it is stated that the fourth respondent has encroached on water body and they have issued notice to the fourth respondent under Section 6(1) of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007. This notice has been issued by the Assistant Engineer, Public Works Department, WRO, Kunnam Section, Perambalur District. The removal of encroachment is kept pending till the harvest of standing crops in Survey No.181 by the fourth respondent.

4. Thus, it is seen that the authorities concerned are taking action in relation to the encroachment put up by the fourth respondent.

5. In this view of the matter, no further directions are necessary at this stage. This writ petition is disposed of accordingly. No costs. Consequently, W.M.P.No.23829 of 2018 is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To:

- 1 The District Collector
Collectorate
Perambalur
Perambalur District.
- 2 The Revenue Divisional Officer
Perambalur
Perambalur District.
- 3 The Tahsildar
Taluk Office
Kunnam Taluk
Perambalur District.

+lcc to Mr.S.Udayakumar, Advocate Sr.15991
+lcc to the Government Pleader Sr.15759

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srg 11/03/2019

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