

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2019

CORAM :

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

AND

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.9734 of 2019

A.Chinnasamy

.. Petitioner

v.

- 1 The District Collector,
Erode District,
Erode - 638 011.
- 2 The Revenue Divisional Officer,
Kodumudi, Erode - 638 151
- 3 The Executive Engineer,
Water Resources Organization,
Lower Bhavani Basin Division,
Erode - 638 002, Erode District.
- 4 The Assistant Engineer,
Water Resources Organization,
Modakurichi,
Erode - 638 002

- 5 A.Vijaya
- 6 S. Selvi
- 7 Iyyar
- 8 Thavamani
- 9 Arumugam
- 10 A.Sivakumar
- 11 Babu
- 12 Palaniappan
- 13 Chinnathambi
- 14 Moorthy
- 15 Manivel
- 16 Suppar
- 17 Chinnaraju
- 18 Chinnammal
- 19 Jaya Chettiyar

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue of Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachments/obstructions in the LBP canal formed in Shutter No.26 in Canal Mile 11/4, in Punjai Kilampadi Village, Kumarasamy Goundampalyam, Kodumudi Taluk, Erode District, by considering the petitioner's representation dated 23.07.2018.

For Petitioner : Mr.Arun Kumar D.R.

For Respondents: Mr.V.Jayaprakash Narayanan
Govt. Pleader (i/c) - For R1 to R4

No Appearance - for R6 to R13 & R19

Not Ready in Notice - R5, R14 to R18

O R D E R

(ORDER OF THE COURT WAS MADE BY M.DURAISWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachments/obstructions in the LBP canal formed in Shutter No.26 in Canal Mile 11/4, in Punjai Kilampadi Village, Kumarasamy Goundampalyam, Kodumudi Taluk, Erode District, by considering the petitioner's representation dated 23.07.2018.

2. According to the petitioner, respondents 5 to 19 encroached the land and therefore, they should be evicted from the encroachments.

3. The respondents 3 and 4 filed the Status Report wherein it has been stated that the canal bank of 11/4 branch canal in Kodumudi Taluk were issued with Section 7 notices on 03.06.2019 and subsequently, Section 6 notices were issued on 18.06.2019 and that the respondents are taking steps to remove the encroachments with the assistance of Revenue and Police Department.

4. In view of the averments stated in the Status Report of the respondents 3 and 4 it is clear that the respondents 3 and 4 are taking steps to evict the encroachers.

5. In these circumstances, recording the averments stated in the Status Report of the respondents 3 and 4, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

Rj

To

- 1 The District Collector,
Erode District,
Erode - 638 011.
 - 2 The Revenue Divisional Officer,
Kodumudi, Erode - 638 151
 - 3 The Executive Engineer,
Water Resources Organization,
Lower Bhavani Basin Division,
Erode - 638 002, Erode District.
 - 4 The Assistant Engineer,
Water Resources Organization,
Modakurichi, Erode - 638 002
- +1 cc to M/s.D.R.Arun Kumar, Advocate, S.R.No.64500
- +1 cc to the Government Pleader, S.R.No.65026

RR(CO)
SSM(05/09/2019).

सत्यमेव जयते

W.P. No.9734 of 2019

WEB COPY