

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2019

CORAM:

THE HON'BLE MR. JUSTICE M.M.SUNDRESH
and
THE HON'BLE MR. JUSTICE RMT. TEEKAA RAMAN

W.P.No.32994 of 2019

L.Santhakumar

Petitioner

vs.

1.The Executive Engineer
Public Works Department,
Water Resources Organisation,
Araniyaru Basin (Drainage) Division
Chepauk, Chennai - 600 005.

2.The Assistant Executive Engineer
Public Works Department,
Water Resources Organisation,
Adyar Basin (Drainage) Sub Division
Chepauk, Chennai - 600 005.

3.The Assistant Engineer,
Public Works Department,
Water Resources Organisation,
Buckingham Canal Division
Mamallapuram,
Kancheepuram District.

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Respondents

सत्यमेव जयते

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a writ of Mandamus, directing the respondents 1 to 3 herein to consider the petitioner's letter of representation dated 06.11.2019 in calling upon the respondents 1 to 3 to comply with the removal of encroachment of bund (Karai) constructed for segregating the channel in the northern side of the patta lands comprised in Survey No.385/1C2A at Manamai Village, Thirukazhukundram Taluk on the basis of their letter dated 20.09.2019 bearing letter No./AEE/ABS/DIV-13/2019 within a reasonable time.

For Petitioner : Mr.R.Mohan
For R-1 & R-3 :
Mr.P.S.Shivashanmughasundaram
Special Govt. Pleader

O R D E R
(Order of the Court made by M.M.SUNDRESH,J.)

The grievance of the petitioner is that, despite the assurance made, as can be seen from the communication of the 2nd respondent to the 1st respondent, marking a copy to the petitioner, the encroachment made by the 2nd respondent has not been removed. This is despite the further representation made by the petitioner on 06.11.2019.

2. The learned Special Government Pleader appearing for the 3rd respondent would submit that the encroachment have been removed in part. After getting instructions from the concerned official of the 3rd respondent and placing reliance upon the communication of the Assistant Executive Engineer (PWD), Chepauk, Chennai to The Assistant Superintendent of Police, Mamallapuram Circle, Mamallapuram dated 19.11.2019, it is submitted that the remaining portion of earthen bund will be removed within a period of four weeks from the date of receipt of a copy of this order.

3. The aforesaid statement made by the the learned Special Government Pleader has been recorded.

4. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rgr
To

1.The Executive Engineer
Public Works Department,
Water Resources Organisation,
Araniyaru Basin (Drainage) Division
Chepauk, Chennai - 600 005.

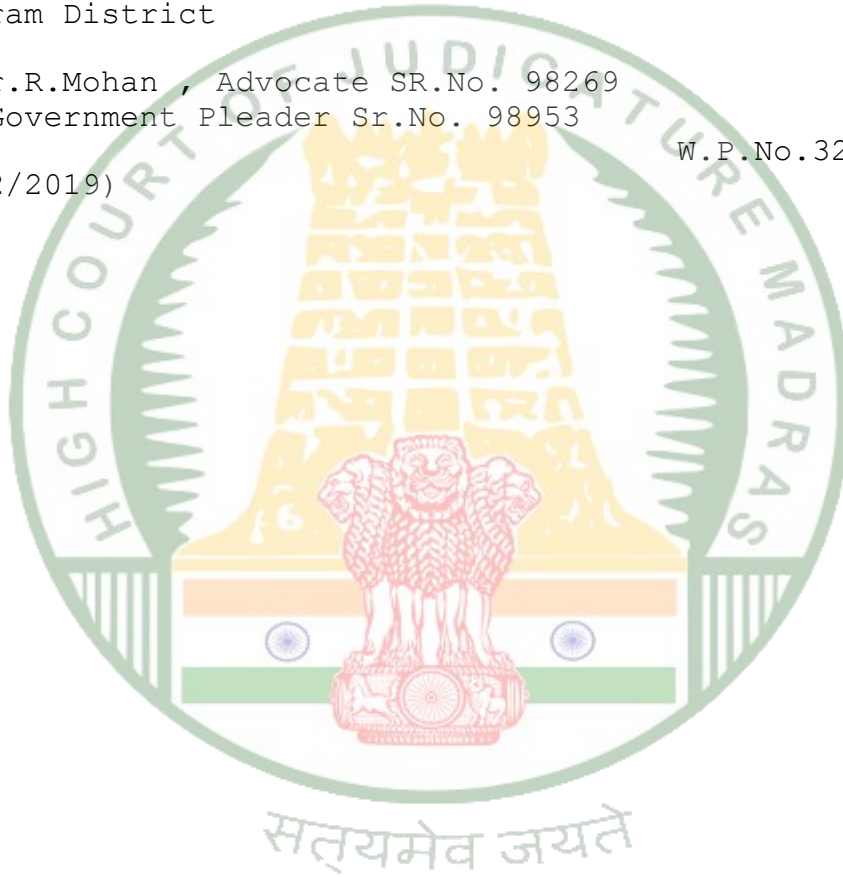
2.The Assistant Executive Engineer
Public Works Department,
Water Resources Organisation,
Adyar Basin (Drainage) Sub Division
Chepauk, Chennai - 600 005.

3.The Assistant Engineer,
Public Works Department,
Water Resources Organisation,
Buckingham Canal Division
Mamallapuram,
Kancheepuram District

+1cc to Mr.R.Mohan , Advocate SR.No. 98269
+1 cc to Government Pleader Sr.No. 98953

W.P.No.32994 of 2019

A.SK(03/12/2019)



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