

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2019

CORAM :

The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.34033 of 2018

E.R.S.Vijaykumar ... Petitioner

-vs-

1.The District Collector,
District Collectorate,
Erode 638 011.

2.The Executive Engineer, P.W.D.,
Bhavani Sagar Sub Division,
Water Resources Organization,
Bhavani Sagar, Erode 638 451.

3.The Thasildhar,
Anthiyur, Erode District. ... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to remove the encroachments along "Kadapallam Drain" situated in S.Nos.600/1, 2, 587, 508/2, 509/1, 510/1, 513, 531, 534, Ennamangalam Village, Anthiyur Taluk, Erode District and to construct check dams along the "Kadapallam Drain" to prevent soil erosion and conserve the over flow water from the Ennamangalam Lake.

For Petitioner : Mr.M.R.Thangavel

For Respondents : Mr.V.Jayaprakash Narayanan
Govt. Pleader (i/c.)

O R D E R

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

Heard the learned counsel for the petitioner and the learned Government Pleader (i/c.) appearing for the respondents.

2.The petitioner is seeking directions to the respondents to remove the encroachment along Kadapallam Drain situated in S.No.s600/1, 2, 587, 508/2, 509/1, 510/1, 513, 531, 534, Ennamangalam Village, Anthiyur Taluk, Erode District.

3.The Thasildhar, Anthiyur Taluk, who is respondent no.3, has filed a counter-affidavit, wherein it is stated that he has issued instructions to the Zonal Deputy Tahsildar to hold joint inspection with Revenue Inspector, Anthiyur and Firka Surveyor, Anthiyur Firka and submit the report for immediate action since the issue was registered under G.O.Ms.No.540. It is further stated that the lands under the encroachments were surveyed by the team headed by the Zonal Deputy Tahsildar on 29.12.2018. The Zonal Deputy Tahsildar along with the officials concerned have jointly inspected the said fields and found some encroachments. It is further stated in the counter affidavit that now it is proposed to take appropriate action to issue necessary notices to the encroachers for removal of encroachments themselves and if not done by them, necessary action would be taken to remove the encroachments by the Government.

In view of the counter-affidavit by respondent no.3, no further directions are necessary. The writ petition is, accordingly, closed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sra

To

1.The District Collector,
District Collectorate,
Erode 638 011.

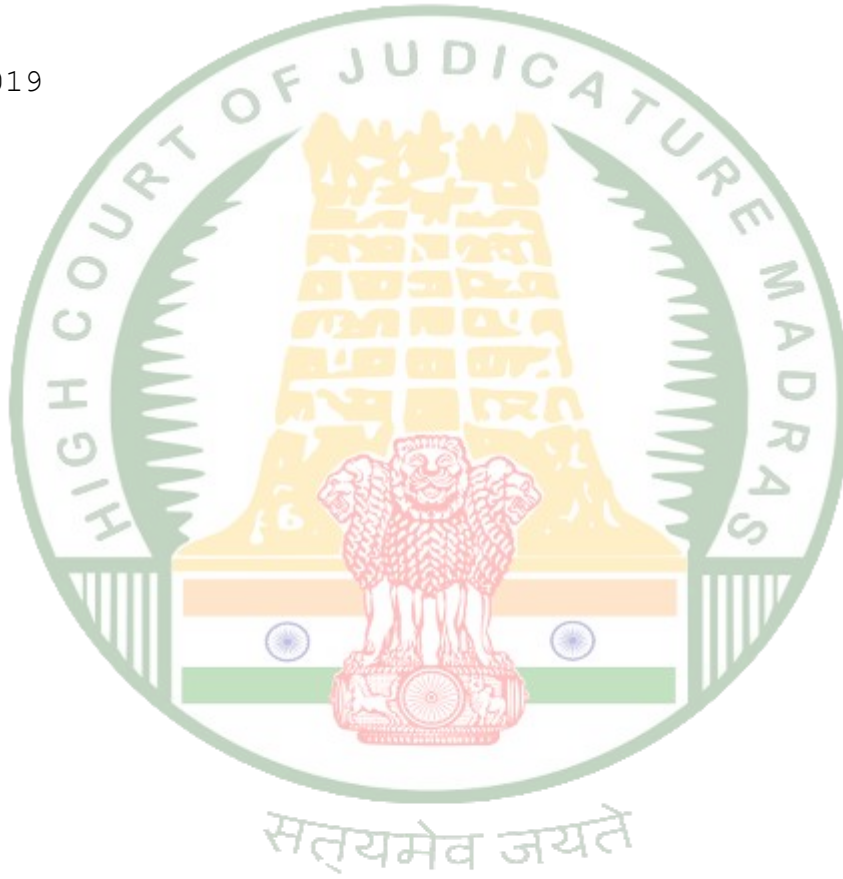
2.The Executive Engineer, P.W.D.,
Bhavani Sagar Sub Division,
Water Resources Organization,
Bhavani Sagar, Erode 638 451.

3.The Thasildhar,
Anthiyur, Erode District.

+1cc to Mr.C.Anbu, Advocate Sr.13322
+1cc to the Government Pleader Sr.14062

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