



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.18015 of 2018
and
WMP(MD)No.15900 of 2018

S.Nagarajan

... Petitioner

vs.

- 1.The State of Tamil Nadu,
rep.by its Secretary to Government,
Public Works Department,
Secretariat,
Chennai.
- 2.The District Collector,
O/o.the District Collector,
Ramanathapuram District,
Ramanathapuram.
- 3.The Executive Engineer,
Public Works Department,
Lathems Bungalow Road,
GH Road,
Ramanathapuram.
- 4.The Revenue Divisional Officer,
O/o.the Revenue Divisional Office,
Ramanathapuram District,
Ramanathapuram.
- 5.The Tahsildar,
O/o.the Tahsildar,
Ramanathapuram,
Ramanathapuram District.
- 6.The Superintendent of Police,
O/o.the Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.



7.The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram,
Ramanathapuram District.

8.The Assistant Divisional Officer,
O/o.the Assistant Divisional Office,
National Highways Department,
Near Mandabam Road,
Ramanathapuram,
Ramanathapuram District.

9.B.Muniyasamy

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to implement the order of the 2nd respondent vide his proceedings Na.Ka.P3/41256/2017 dated 8.06.2018 confirming the order of the 4th respondent vide his proceedings Na.Ka.A8/8220/2017 dated 30.01.2018 and consequentially to direct the respondents to remove the encroachments in the channel situated in Survey No.268/1 & 2 Ward 'D' Block 1 between the Periya Kanmai and Lakshmipuram Tank in Ramanathapuram District on war footing basis.

For Petitioner	:	Mr.H.Mohammed Imran
For R1 to R6 & R8	:	Mr.A.K.Baskarapandian Additional Government Pleader
For R7	:	Mr.A.Karnan

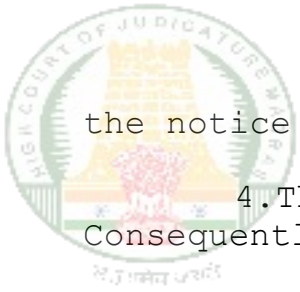
O R D E R

[Order of the Court was made by M.M.SUNDRESH, J.]

This writ petition has been filed seeking direction to the third respondent to take further consequential action in pursuant to the orders passed by the respondents 4 and 2, by which, the ninth respondent was directed to remove the encroachment, after rejecting his case.

2.The learned counsel appearing for the petitioner would submit that inasmuch as orders have already been passed by the respondents 4 and 2, pursuant to which, further order dated 11.07.2018 was also passed by the eighth respondent, the third respondent will have to be directed to carry out removal of the encroached portion.

3.Considering the above, we deem it fit to direct the third respondent to take appropriate consequential action in pursuant to



the notice dated 11.07.2018 within a period of four weeks.

4.This writ petition is disposed of accordingly. No costs. Consequently, WMP(MD)No.15900 of 2018 is closed.

5.Post on 17.09.2018 for compliance.

Sd/-

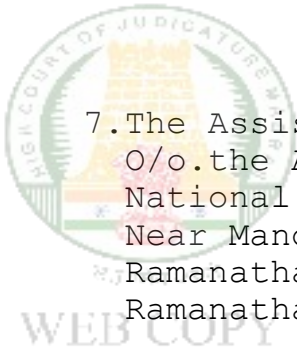
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-I)

To

- 1.The Secretary to Government,
State of Tamil Nadu,
Public Works Department,
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O/o.the District Collector,
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- 6.The Superintendent of Police,
O/o.the Superintendent of Police,
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7.The Assistant Divisional Officer,
O/o.the Assistant Divisional Office,
National Highways Department,
Near Mandambam Road,
Ramanathapuram,
Ramanathapuram District.

COPY TO:

The Section Officer,
Writ Posting (Bench)
Madurai Bench Of Madras High Court,
Madurai.

+1CC to M/s. Ajmal Associates in SR.No.79180.

MJ

DS/SKN/RSK/SAR-1 :23.08.2018: 4P/10C

W.P. (MD) No.18015 of 2018
16.08.2018