



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

and

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.16029 of 2019

Devaraj

: Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Trichy.

2.The Chief Engineer,
Office of the Chief Engineer,
Water Resources Development,
Public Works Department,
Subramanypauram,
Trichy - 20.

3.The Superintending Engineer,
Office of the Superintending Engineer,
Water Resources Development,
Public Works Department,
Subramanypauram,
Trichy - 20.

4.The Executive Engineer,
Office of the Executive Engineer,
Water Resource Development,
River Protection Division,
Public Works Department,
Trichy - 1.

5.The Commissioner/
Block Development Officer,
Panchayat Union Office,
Manikandam, Srirangam Taluk,
Trichy District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents herein to take immediate action to survey the above two water bodies more fully Periyakulam comprised in Survey No.184 and Papankulam tank comprised in survey No.111-1, situated at Navaloor Kuttapattu village, Manikandam Panchayat Union, Srirangam Taluk, Trichy District, on the basis of his representation, dated 21.06.2019,



within the time stipulated by this Court.

For Petitioner : Mr.B.Jameel Arasu
For R-1 to R-4 : Mr.N.Shanmugaselvam
Additional Government Pleader
For R-5 : Mr.V.Anand

WEB COPY

O R D E R

[Order of the Court was made by SENTHILKUMAR RAMAMOORTHY, J.]

This writ petition is filed for a writ of Mandamus to direct the respondents to take appropriate action to survey two water bodies at Periyakulam, comprised in Survey No.184 and Papankulam tank comprised in survey No.111-1, situated at Navaloor Kuttapattu village, Manikandam Panchayat Union, Srirangam Taluk, Trichy District, on the basis of his representation, dated 21.06.2019.

3.Heard Mr.N.Shanmugaselvam, learned Additional Government Pleader, who takes notice for the respondents 1 to 4 and Mr.V.Anand, learned counsel, who takes notice for the fifth respondent.

4.The learned counsel for the petitioner submits that there has been massive encroachment of two water bodies stated supra and that inspite of submission of the representation, dated 21.06.2019, to the first respondent, no action has been taken to survey the said water bodies and to take action against the encroachers in accordance with law.

5.On the other hand, the learned Additional Government Pleader submits that necessary action would be taken to survey the water bodies, identify the encroachers and thereafter, act in accordance with law.

6.In view of the limited scope of the prayer sought for in this writ petition, we are inclined to dispose of this writ petition by directing the respondents to take action to survey the above mentioned two water bodies by taking assistance of the revenue officials and the Taluk Surveyor. Such exercise shall be carried out within a period of six weeks from the date of receipt of a copy of this order. Upon carrying out such survey, the respondents are further directed to take action, in accordance with law, if it is found that there are encroachments in the said water bodies. No costs.

Sd/-
Assistant Registrar(AD-I)

/TRUE COPY/

Sub Assistant Registrar



To

1.The District Collector,
Office of the District Collector,
Trichy.

2.The Chief Engineer,
Office of the Chief Engineer,
Water Resources Development,
Public Works Department,
Subramanypauram,
Trichy - 20.

3.The Superintending Engineer,
Office of the Superintending Engineer,
Water Resources Development,
Public Works Department,
Subramanypauram,
Trichy - 20.

4.The Executive Engineer,
Office of the Executive Engineer,
Water Resource Development,
River Protection Division,
Public Works Department,
Trichy - 1.

5.The Commissioner/
Block Development Officer,
Panchayat Union Office,
Manikandam, Srirangam Taluk,
Trichy District.

+1 CC to M/s.B.JAMEEL ARASU, Advocate (SR-76552[F] dated 22/07/2019)

+1 CC to M/s.SPL GP (SR-76648[F] dated 22/07/2019)

W.P. (MD) No.16029 of 2019
19.07.2019

RJ2

JM/31.07.2019/3P-8C