



WEB COPY

W.P.(MD).No.19208 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.09.2019**

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs.JUSTICE R.THARANI

W.P. (MD).No.19208 of 2017

Abdullah

... Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The Block Development Officer,
O/o.Block Development Officer,
Manapparai,
Trichy District.

3.The Tahsildar,
Manapparai,
Trichy District.

4.Ponnammal

... Respondents

PRAYER: This petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents No.1 to 3 to remove the encroachment of the Muthukaruppa Pillai Pond comprised in Survey No.80, situated at Puthanatham Village, Manapparai Taluk, Trichy District encroached by the fourth respondent by taking necessary action based on the petitioner's representation dated 08.08.2017.

For Petitioner : Mr.A.Joel Paul Antony

For R1 to R3 : Mr.A.K.Baskara Pandian
Special Government Pleader

For R4 : No appearance

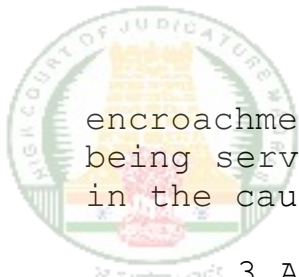
ORDER

(Order of this Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.A.Joel Paul Antony, learned counsel appearing for the petitioner and Mr.A.K.Baskara Pandian, learned Special Government Pleader appearing for the respondent Nos.1 to 3.

2.This writ petition has been filed to remove the alleged

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encroachment caused by the fourth respondent. Despite notice being served on the fifth respondent and his name is being printed in the cause list, none appeared for the fifth respondent.

3. According to the petitioner, the fourth respondent is an encroacher and the encroached area is a water body. However, from the affidavit filed in support of this writ petition, we find adequate particulars have not been given. Furthermore, the writ petition is of the year 2017 and it is not clear as to what the present state of affairs.

4. Therefore, we dispose of this writ petition by giving liberty to the petitioner to make a representation to the third respondent. According to the petitioner, if there is any encroachment, the petitioner shall enclose a copy of this order along with representation. On receipt of the same, the third respondent shall conduct an enquiry in to the matter and if there is an encroachment by any third parties, notice should be issued to all such parties and proceedings shall be initiated in accordance with law. No costs.

Sd/-

Assistant Registrar (AD I)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The District Collector,
Trichy District,
Trichy.

2. The Block Development Officer,
O/o. Block Development Officer,
Manapparai,
Trichy District.

3. The Tahsildar,
Manapparai,
Trichy District.

+1 CC to M/s. A. JOEL PAUL ANTONY, Advocate (SR-89974[F] dated 27/09/2019)

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_KM/ (16.10.2019) 2P 5C