



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD) No.6968 of 2020
and
W.M.P. (MD) No.6397 of 2020

N.Visu

... Petitioner

-vs-

- 1.The District Collector
Kanyakumari District
- 2.The Executive Engineer
Water Resource Management
Public Works Department
Nagercoil
Kanyakumari District
- 3.The Commissioner
Nagercoil Municipality
Nagercoil
Kanyakumari District
- 4.Immanuel

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of writ of mandamus directing the respondents to remove the construction, made by the fourth respondent at D.No.231, Adi Dravidar Colony, Kullathoor, Kanyakumari District, encroaching the drainage channel and retain wall of Parakai irrigation Canal within the time stipulated by this Court.

For Petitioner : Mr.S.Pon Senthil Kumaran

For Respondents : Mr.V.R.Shanmuganathan
Special Government Pleader for R1 to R3
Mr.G.V.Vairam Santhosh for R4



O R D E R

[Order of the Court was made by P.N.PRAKASH, J.]

When the matter was taken up for hearing, Mr.V.R.Shanmuganathan, learned Special Government Pleader, submitted that the second respondent has addressed two communications, dated 16.06.2020 and 27.06.2020, to the Tahsildar, Agastheeswaram Taluk, to survey and issue Form-I, so that further steps can be taken for removal of the encroachments, if any. However, the Tahsildar, Agastheeswaram Taluk has not taken any action on the said communications.

2. Recording the same, we direct the Tahsildar, Agastheeswaram Taluk, to take action on the communications of the second respondent, within a period of six weeks from the date of receipt of a copy of this order and if any encroachments are found therein, Form-II and Form-III may be issued expeditiously.

3. Accordingly, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To:

- 1.The District Collector,
Kanyakumari District.
- 2.The Executive Engineer,
Water Resource Management,
Public Works Department,
Nagercoil, Kanyakumari District.



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3.The Commissioner,
Nagercoil Municipality,
Nagercoil, Kanyakumari District.

4.The Tahsildar,
Agastheeswaram Taluk,
Kanyakumari District.

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and

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