



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2020
CORAM

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P. (MD) No.10701 of 2020
(Through Video conferencing)

P.Sundaravalli

... Petitioner

-Vs-

1.The District Collector
Madurai District
Madurai.

2.The Tahsildar
Melur Taluk
Madurai District.

3.The Secretary
Kottanathampatti Panchayat
Melur Taluk
Madurai District.

4.Mr.Sangaiah
The Secretary
Kottanathampatti Panchayat
Melur Taluk
Madurai District.

... Respondents

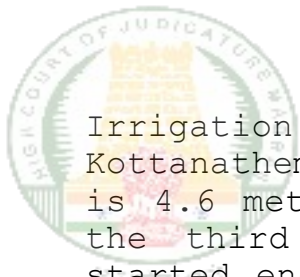
Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to remove all kinds of encroachment in the Periyar main irrigation canal to the extent of 100 feet connected to the Kottanathampatti Village, Melur Taluk, Madurai District by considering the petitioner's representation dated 20.05.2020.

For Petitioner : Mr.M.Jegadeesh Pandian
For Respondents : Mr.M.Muthugeethaiyan,
Spl. Govt. Pleader for R1 to R3

ORDER

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

The petitioner is a resident of Utcharichanpatti, Melur Taluk, Madurai District and according to her, there exists "Periyar Main



Irrigation Canal", which is proceeding towards Vellakkanma of Kottanathempatti Village and the width of the said irrigation canal is 4.6 meters. The grievance expressed by the petitioner is that the third respondent under the garb of doing some improvement started encroaching upon the irrigation canal in the form of a mud road and also tried to trespass upon her property in Survey No.248/1B1, located in the said Village. The petitioner, in this regard, has also submitted a representation dated 20.05.2020, to the second respondent with copies marked to the first respondent and despite receipt and acknowledgment, no action has been taken and therefore, the petitioner is constrained to approach this Court by filing this writ petition.

2. Heard the submission of the learned counsel appearing for the petitioner and also the learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

3. This Court, taking into consideration the above facts and circumstances and without going into the merits of the claim projected by the petitioner either in her representation or in this writ petition, permits the petitioner to submit a detailed representation to the jurisdictional PWD Official, by enclosing relevant and authenticated documents, within a period of three weeks from the date of receipt of a copy of this Court, who on receipt of the same, is directed to consider the said representation in accordance with law and pass orders, as expeditiously as possible and not later than six weeks thereafter and communicate the decision taken to the petitioner as well as to the persons concerned.

4. This Writ Petition stands disposed of accordingly. No costs.

Sd/-

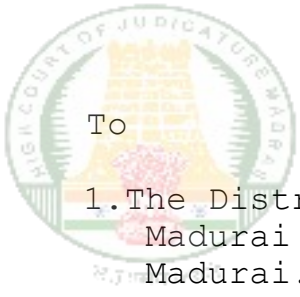
Assistant Registrar (CS-II)

// True Copy //

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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
Madurai District
Madurai.

2.The Tahsildar
Melur Taluk
Madurai District.

3.The Secretary
Kottanathampatti Panchayat
Melur Taluk
Madurai District.

+1 CC to SPL GP (SR-15840[F] dated 03/09/2020)

Order made in
W.P. (MD) No.10701 of 2020
02.09.2020

VB (11.09.2020) 3P 5C