



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2021

WEB COPY

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE  
AND  
THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.10336 of 2021

P.Bharath

...Petitioner

Vs.

- 1.The District Collector,  
Vellore District, Vellore.
- 2.The Municipal Commissioner,  
Gudiyatham Municipality,  
Gudiyatham, Vellore District 632 602.
- 3.Regional Director - Municipal Administration,  
Office of RMDA - Vellore Region,  
50, M.P.Sarathy Nagar, Kagithapatarai,  
Vellore 632 012.
- 4.Revenue Divisional Officer,  
RDO Building, Gudiyatham,  
Vellore District.
- 5.The Junior Engineer,  
TANGEDCO, Tamilnadu Electricity Board,  
33/11, KV Sub-Station Campus,  
Paradarami, Vellore District 632 603.
- 6.Maheshkumar alias Aravind

7.Vaidheeswaran

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the



respondents 1 to 5 to consider and pass orders on the petitioner's representation dated 27.01.2021 for initiating action against the encroachers, the 6th & 7th respondents herein in accordance with law within the time stipulated by this court and to remove the encroachment made on the canal with width of 10 feet that belong to Gudiyatham Municipal Council near Gudiyatham Old Bus stand at Arjunan Mudali Street, Sunnambupettai, Gudiyatham, Vellore District in accordance with law.

For the Petitioner : Mr.S.Ramachandran

For the Respondents : Mr.P.Muthukumar  
State Govt. Pleader for RR 1 to 4

: Mr.Jaivenkatesh  
Stdg. Counsel for R-5

: No appearance for RR 6 and 7

## ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The grievance of the petitioner in this public interest litigation is that the sixth and seventh respondents have encroached into Government land and, possibly, a water canal at Arjunan Mudali Street, Sunnambupettai, Gudiyatham in Vellore.

2. It is submitted on behalf of the official respondents by Mr.P.Muthukumar, learned State Government Pleader, that he has received instructions that all encroachments have been removed on July 29, 2021. Mr.Ramachandran appearing for the petitioner confirms that the encroachments have been removed but apprehends that the moment the petition is disposed of, the encroachers would return and the officials will again turn a blind eye to such activities.

3. Since the encroachments have been removed, the writ petition may have served its purpose. However, the official respondents, particularly the second respondent Commissioner of Gudiyatham Municipality, is directed to ensure that no municipal or Government land or any waterbody or its precincts are encroached upon by any person on any excuse whatsoever. Strict vigil has to be maintained in such regard and a special cell may



be constituted to continuously monitor the entire municipal area and deal with any encroachment with a heavy hand and utmost expedition.

WEB COPY W.P.No.10336 of 2021 is disposed of without any order as to costs.

Sd/-  
Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar

sra

To :

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Paradarami, Vellore District 632 603.

+1cc to the Government Pleader SR.No.44326

W.P.No.10336 of 2021

AJS(CO)  
RVM(09/09/2021)