

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.11188 of 2021

S.Sennappan ... Petitioner

Vs.

1. The District Collector
Krishnagiri District.

2. The Tahsildar
Krishnagiri Taluk
Krishnagiri Taluk.

3. Ayyanar

4. Murugan

5. Manival

6. Ayyanar

7. Madhesawaran

8. Pownraj

9. Settu @ Kaliyappan

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 and 2 herein to remove the encroachments made by the private respondents 3 to 7 herein over the water body viz., field channel comprised in Survey Numbers 222/3, 223/1, 203/2 and 204/5 situated at Jagadab Village, Krishnagiri Taluk, Krishnagiri District in the light of the provisions of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007.

For Petitioner : Mr.G.Magesh Kumar

For Respondents : Mr.Muthukumar
Counsel for Government
for respondents 1 and 2

ORDER

(Made by SENTHILKUMAR RAMAMOORTHY, J)

The writ petitioner complains of alleged encroachment by respondents 3 to 9 on water channels adjacent to lands owned by the said respondents.

2. It is asserted that respondents 3 to 9 herein own lands which are situated near the water channel in Survey Nos.222/3, 223/1, 203/2 and 204/5 situated at Jagadab Village, Krishnagiri Taluk, Krishnagiri District. It is stated by the petitioner that a representation was sent to the first respondent in connection with the aforesaid encroachment on September 21, 2020, but no action has been taken thereon.

3. Mr.Muthukumar, learned Government Counsel accepts notice for the respondents 1 and 2 and states that the representation of the petitioner would be considered and disposed of within a reasonable time frame.

4. Accordingly, without examining the merits of the petitioner's representation, the second respondent is directed to consider the representation of the petitioner dated September 21, 2020 and dispose of the same by a reasoned order within a period of eight weeks from the date of receipt of a copy of this order, after providing a reasonable opportunity to the petitioner and to the respondents 3 to 9 herein.

5. In view of the fact that the merits of the matter have not been gone into and because the second respondent has been directed to provide a reasonable opportunity to the private respondents herein, the writ petition is disposed of without notice to the private respondents.

6. W.P.No.11188 of 2021 is disposed of on the above terms. There will be no order as to costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

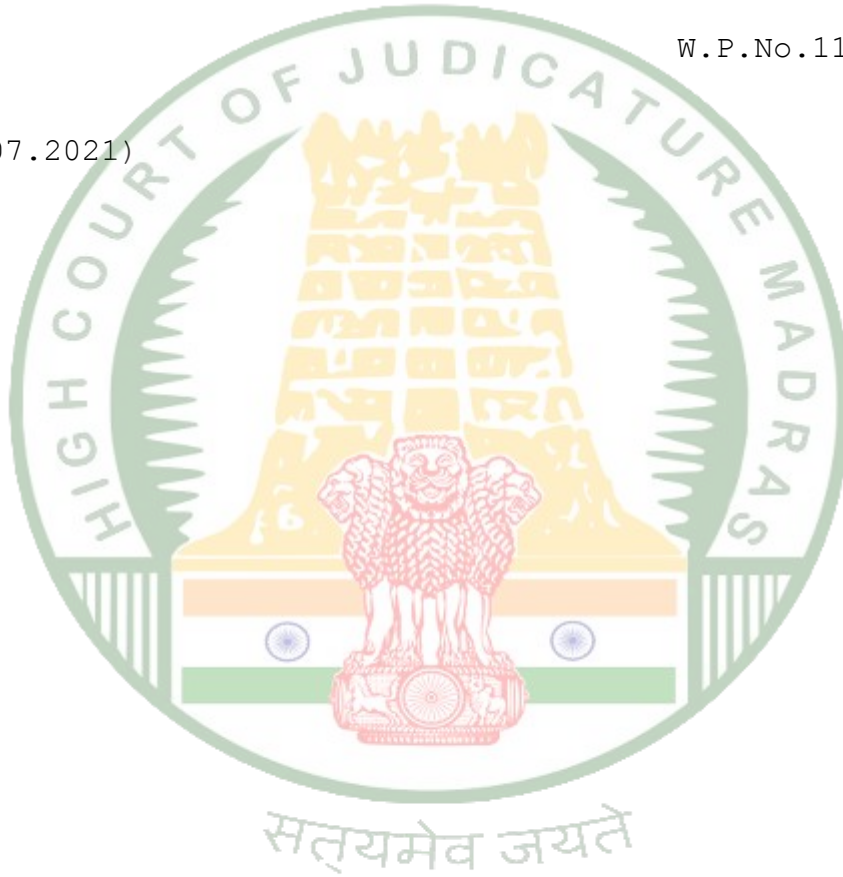
1. The District Collector
Krishnagiri District.

2. The Tahsildar
Krishnagiri Taluk
Krishnagiri Taluk.

+1 CC to the Government Pleader, Sr.No.27331, Sr.No.27366
+1 CC Mr.G.Mageshkumar, Advocate, Sr.No.27351

W.P.No.11188 of 2021

LN (CO)
A.SK (12.07.2021)



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