



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.14537 of 2021

P.Thilagam

... Petitioner

-vs-

- 1 The District Collector
Krishnagiri.
- 2 The District Revenue Officer,
Collectorate Campus, Krishnagiri.
- 3 The Sub-Collector,
Sub-Collector Office, Hosur,
Krishnagiri District.
- 4 The Superintending Engineer,
District Development Agency,
Collectorate Campus, Krishnagiri.
- 5 The Secretary cum District Planning Officer,
District Planning Cell,
Royakottai Salai, Kamarajar Nagar Village,
Krishnagiri.
- 6 The Tahsildar,
Soolagiri Taluk, Krishnagiri District.
- 7 The Block Development Officer,
Soolagiri, Krishnagiri District.
- 8 G.P.Paneer

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the Respondents 1 to 7 to evict the encroachments as found in Survey Nos.36/1, 38, 43, 34, 32, 33, 48, 49, 51, 52 and 53 of Melumalai Revenue Village, Sulagiri Taluk, Krishnagiri District, being a waterbody and prevent and clear encroachments in future in the water bodies and not to give any permission for laying the road for the private purpose of the 8th Respondent.



For Petitioner : Mr.J.Pradeep

For Respondents : Mr.P.Muthukumar
Counsel for State for RR 1 to 7

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ORDER

(Made by SENTHILKUMAR RAMAMOORTHY, J.)

The petitioner alleges that the eighth respondent is encroaching on a waterbody, which is adjacent to lands owned by such eighth respondent.

2. The writ petitioner asserts that the eighth respondent has purchased properties in S.Nos.42, 44, 45, 35/1B2B of an extent of 15 acres which is adjacent to a lake and forest. It is further stated that the eighth respondent is in the process of laying a tar road to connect the lands owned by him by encroaching upon and damaging the lake. In spite of submitting multiple representations in this regard, except for a letter from the Block Development Officer, no effective action has been taken thereon. The writ petition is filed in the aforesaid facts and circumstances.

3. Mr.P.Muthukumar, learned counsel for the State, accepts notice on behalf of respondents 1 to 7 and submits that the Tahsildar would consider and dispose of the petitioner's representation within a reasonable time-frame.

4. Accordingly, without going into the merits of the matter, the sixth respondent is directed to consider the representation dated 27.11.2020 of the petitioner and dispose of the same by a reasoned order, after providing a reasonable opportunity of hearing both to the petitioner and to the eighth respondent herein within a period of eight weeks from the date of receipt of a copy of this order. On account of the fact that the Tahsildar has been directed to hear the eighth respondent before passing orders, the writ petition is being disposed of without notice to the private respondent.

W.P.No.14537 of 2021 is disposed of without any order as to costs.

Sd/-
Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

sra



To:

- 1 The District Collector
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GSM(CO)
B.VC(19.07.2021)