



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.18576 of 2021

M.Munusamy Mudaliyar,

...Petitioner

Vs.

1. The District Collector,
Villupuram District,
Villupuram.

2. The Revenue Divisional Officer,
Villupuram.

3. The Thasildhar,
Kandachipuram.

4. P.Kathavarayan

5. M.Babu

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the Respondents to take action to remove all the encroachments adjacent to the Pappankulam Tank including all the permanent structures and sheds put up by the encroachers blocking the way to the Tank on all four sides of the Tank situate in S.No.142/14 at Kandachipuram Village, Kandachipuram Taluk, Villupuram District.

For petitioner : Mr.N. Suresh

For respondents : Mrs.Akhila Rajendran
Government Counsel (for R1 to R3)



ORDER

(The Order of the Court was made by K.KALYANASUNDARAM, J)

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This Writ Petition has been filed for issuance of a Writ of Mandamus directing the respondents to take action to remove all the encroachments adjacent to the Pappankulam Tank including all the permanent structures and sheds put up by the encroachers blocking the way to the Tank on all four sides of the Tank situated in S.No.142/14 at Kandachipuram Village, Kandachipuram Taluk, Villupuram District.

2.The petitioner would state that he is the resident of Kandachipuram village and he is a Temple Poojari in a Temple known as Bala Vinai Theertha Vinayagar. There is another temple called as Gangai Amman temple. He would further submit that Pappankulam Tank is situated in S.No.142/14 and it has been classified as Government Porambokke Kulam. It is alleged that the land around the temple has been encroached, which causes nuisance to the general public and hence, he sent a representation to the respondents on 23.10.2020. But there is no proper action to remove the encroachment.

3.The learned counsel appearing for the petitioner Mr.N.Suresh would state that the petitioner would be satisfied, if a suitable direction is issued to the third respondent to take appropriate action on the basis of the representation of the petitioner.

4.Mrs.Akila Rajendran, learned Government Counsel appearing for the respondents 1 to 3 would state that the third respondent is the competent authority and he is ready to take action on the basis of the representation of the petitioner.

5.In the light of the above submissions and also considering the nature of prayer sought for in the writ petition, without expressing any opinion on the merits of the matter, this Court directs the third respondent to take appropriate action on the basis of the representation of the petitioner dated 23.10.2020 and remove the encroachments, after affording opportunity of personal hearing to all the necessary parties. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order. No costs.



6. With the above directions, this Writ Petition is disposed of. No costs.

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Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

skn

To

1. The District Collector,
Villupuram District,
Villupuram.
2. The Revenue Divisional Officer,
Villupuram.
3. The Thasildhar,
Kandachipuram.

+1cc to Mr.N.Suresh, Advocate, S.R.No.46611

W.P.NO.18576 of 2021

PCH (CO)
SU (12/10/2021)