



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.05.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.[MD]No.9108 of 2021

and

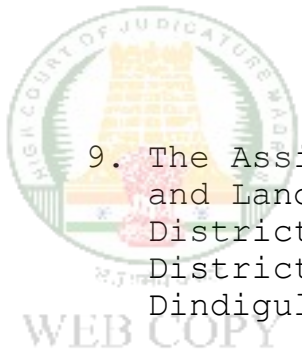
W.M.P.[MD]No.6866 of 2021

K.Santhanathurai

... Petitioner

Vs.

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Revenue Divisional Officer,
Palani, Dindigul District.
3. The Tahsildar,
Palani, Dindigul District.
4. The Chief Engineer,
Water Resources Organization,
Public Works Department,
Pollachi Region, Town Hall,
Coimbatore-1.
5. The Superintending Engineer (General),
Water Resources Organization,
Public Works Department,
Special Scheme,
Nangganjiyar Basin Division,
Palani, Dindigul District.
6. The Executive Engineer,
Public Works Department,
WRO, Nangganjiyar Basin Division,
Palani, Dindigul District.
7. The Junior Engineer,
Public Works Department, WRO,
Varathamadhi Dam Section,
Palani Sub-Division, Palani,
Dindigul District.
8. The Commissioner,
Palani Municipality,
Palani, Dindigul District.



9. The Assistant Director of Survey
and Land Records,
District Land Survey Office,
District Collectorate Office Campus,
Dindigul, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2, 3, 5, 6 and 7 to survey the entire extent of Vaiyapurikulam tank as per the revenue records with the assistance of 9th respondent and to fix the boundaries in accordance with Section 3 to 6 of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and thereafter to commence the rehabilitation works in respect of Vaiyapurikulam in Town Survey No. 836/1A1, Palani, Dindigul District.

For Petitioner	: Mr.M.P.Senthil
For Respondents	: Mrs.M.Rajeshwari, Government Advocate for R1 to R7 and R9

O R D E R

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

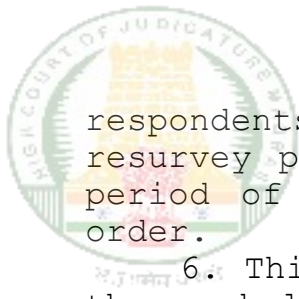
By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.Heard Mr.M.P.Senthil, learned Counsel appearing for the petitioner and Mrs.M.Rajeshwari, learned Government Advocate appearing for the respondents 1 to 7 and 9.

3. The grievance of the petitioner is that the respondents herein, have commenced the renovation works of the Vaiyapurikulam tank without conducting survey as required under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007.

4. Today, when the matter was called, the learned Government Advocate appearing for the respondents 1 to 7 and 9 on instructions, submitted that the respondents have already conducted a survey in the year 2020 itself and that the respondents are now willing to conduct a resurvey of the entire tank comprised in Town Survey No. 836/1A1, Palani, Dindigul District, in the presence of the writ petitioner also. In view of the said submission made, the petitioner herein may not have any further grievance.

5. Recording the submission of the learned Government Advocate, there shall be a direction to the respondents 2, 3, 5, 6 and 7 herein, to resurvey the Vaiyapurikulam tank comprised in Town Survey No. 836/1A1, Palani, Dindigul District, after giving due opportunity to the petitioner to be present during the process of survey. The



respondents herein shall take all endeavours to complete the resurvey process as expeditiously as possible, preferably within a period of one month from the date of receipt of a copy of this order.

6. This Writ Petition stands disposed of, accordingly. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj/pkn

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,
Dindigul District,
Dindigul.
- 2.The Revenue Divisional Officer,
Palani, Dindigul District.
3. The Tahsildar,
Palani, Dindigul District.
4. The Chief Engineer,
Water Resources Organization,
Public Works Department,
Pollachi Region, Town Hall, Coimbatore-1.
5. The Superintending Engineer (General),
Water Resources Organization,
Public Works Department,
Special Scheme,
Nanganjiyar Basin Division,
Palani, Dindigul District.



6. The Executive Engineer,
Public Works Department,
WRO, Nanganjiyar Basin Division,
Palani, Dindigul District.

7. The Junior Engineer,
Public Works Department, WRO,
Varathanadhi Dam Section,
Palani Sub-Division, Palani,
Dindigul District.

8. The Commissioner,
Palani Municipality,
Palani, Dindigul District.

9. The Assistant Director of Survey
and Land Records,
District Land Survey Office,
District Collectorate Office Campus,
Dindigul, Dindigul District.

+1 CC to M/s.GP (SR-18512[F] dated 07/05/2021)

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-18478[F] dated 06/05/2021)

W.P.[MD]No.9108 of 2021

06.05.2021

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