



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2021

CORAM :

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**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE S.ANANTHI**

**W.P. (MD) No.8944 of 2020
and W.M.P. (MD) No.8178 of 2020**

R.Ramasamy

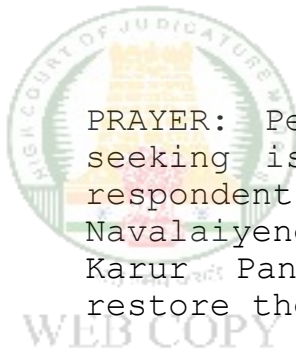
.. Petitioner

Vs

- 1.The Secretary to the Government,
Revenue & Disasters Management Department,
Secretariat,
Chennai.
- 2.The District Collector,
Pudukkottai District,
Pudukkottai.
- 3.The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.
- 4.The Tahsildar,
Avudayarkoil Taluk,
Pudukkottai District.
- 5.The Block Development Officer,
Avudayarkoil Union,
Pudukkottai District.
- 6.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
- 7.The Inspector of Police,
Karur Police Station,
Avudayarkoil Taluk,
Pudukkottai District.

- 8.V.Sekar
- 9.S.Natesan
- 10.S.Ramakrishnan
- 11.P.Ragavan
- 12.P.Shanmugam
- 13.P.Ganesan
- 14.K.Sarasu
- 15.P.Sivasamy
- 16.P.Ravi

... Respondents



PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, to direct the official respondents to remove the encroachments made on the water body named Navalaiyendhal-Thulukkoorani in Survey No.45/2 of Pappakudi Village, Karur Panchayat Avudaiyarkoil Taluk, Pudukkottai District and restore the same in its original position.

For Petitioner : Mr.R.Sevugaraja

For Respondent Nos.1 to : Mr.A.Karthick
4, 6 & 7 Government Advocate

For Respondent Nos.5, 8 : No appearance
to 16

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

This Writ Petition has been filed for the issuance of a writ of Mandamus, to direct the official respondents to remove the encroachments made on the water body named Navalaiyendhal-Thulukkoorani in Survey No.45/2 of Pappakudi Village, Karur Panchayat Avudaiyarkoil Taluk, Pudukkottai District and restore the same in its original position.

2.Heard Mr.R.Sevugaraja, learned counsel appearing for the petitioner and Mr.A.Karthik, learned Government Advocate, appearing for respondent Nos.1 to 4, 6 & 7.

3.From the counter affidavit filed on behalf of the first respondent, it is seen that the encroachments have been admitted by the Department. If that is so, it is not clear as to why there has been very little progress by the Department to take action for removing the encroachments. Further, it is stated in the counter affidavit that 13 persons have made encroachments by way of constructing huts, asbestos sheds and terraced houses.

4.In any event, if there is encroachment in Government land, the respondents are open to remove the same. Accordingly, we direct respondent Nos.4 and 5 to take immediate action for removing the encroachments. If already notice has been issued, after following due procedures of law and affording sufficient opportunity to the encroachers, the encroachments made shall be removed within a period of twelve (12) weeks from the date of receipt of a copy of this order.



5. The writ petition stands disposed of with the above directions. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CO)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

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:

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+1 CC to M/s.R.BASKARAN, Advocate (SR-17487[F] dated 26/04/2021)

+1 CC to M/s.SPL GP (SR-17584[F] dated 26/04/2021)

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