



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Fourteenth day of July Two Thousand Twenty One
PRESENT

The Hon`ble Mr.Justice T.S.SIVAGNANAM
AND

The Hon`ble Mrs.Justice S.ANANTHI

WMP(MD) .No.8949, 8950, 8951, 8952, 8953, 8955, 8956, 8957, 8959.
8961, 8962, 8965 of 2021

in

W.P. (MD) Nos.8847, 8947, 9085, 8948, 9037, 9179, 8916, 8913,
8901, 9152, 8936, 9050 of 2021

Velsamy

... Petitioner/Petitioner in W.M.P. (MD) No.8949 of 2021

Maharajan

... Petitioner/Petitioner in W.M.P. (MD) No.8950 of 2021

M.L.F.Betturam

... Petitioner/Petitioner in W.M.P. (MD) No.8951 of 2021

Pooma Devi

... Petitioner/Petitioner in W.M.P. (MD) No.8952 of 2021

M.L.F.Betturam

... Petitioner/Petitioner in W.M.P. (MD) No. 8953 of 2021

Shanmugha Sundaram

... Petitioner/Petitioner in W.M.P. (MD) No.8955 of 2021

Chitra

... Petitioner/Petitioner in W.M.P. (MD) No.8956 of 2021

Christober

... Petitioner/Petitioner in W.M.P. (MD) No.8957 of 2021

Vijaya

... Petitioner/Petitioner in W.M.P. (MD) No.8959 of 2021

Prakashkumar

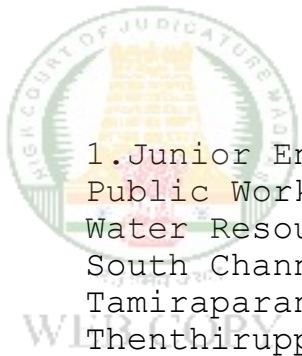
... Petitioner/Petitioner in W.M.P. (MD) No.8961 of 2021

Sundaram

... Petitioner/Petitioner in W.M.P. (MD) No.8962 of 2021

Saroja

... Petitioner/Petitioner in W.M.P. (MD) No.8965 of 2021



1. Junior Engineer
Public Works Department,
Water Resource Organisation,
South Channel Division,
Tamilraparani Irrigation System,
Thenthirupperai , Thoothukudi - 628 623.

2. The Tasildar
Tiruchendur Taluk Office,
Tiruchendur - 628215.

3. Executive Officer,
Tiruchendur Special Grade Town Panchayat,
Tiruchendur - 628215.

... Respondents/Respondents in all WMPs

Prayer in W.M.P.(MD)No.8949 of 2021 :-

This Writ Miscellaneous Petition is filed to grant extension of time for the operation of the order in W.P(MD). 8847/2021 dated 30.4.2021 on the file of this Hon'ble court .

Prayer in W.M.P.(MD)No.8950 of 2021 :-

This Writ Miscellaneous Petition is filed to grant extension of time for the operation of the order in W.P(MD). 8947/2021 dated 30.4.2021 on the file of this Hon'ble court .

Prayer in W.M.P.(MD)No.8951 of 2021 :-

This Writ Miscellaneous Petition is filed to grant extension of time for the operation of the order in W.P(MD). 9085/2021 dated 30.4.2021 on the file of this Hon'ble Court .

Prayer in W.M.P.(MD)No.8952 of 2021 :-

This Writ Miscellaneous Petition is filed to grant extension of time for the operation of the order in W.P(MD). 8948/2021 dated 30.4.2021 on the file of this Hon'ble Court .

Prayer in W.M.P.(MD)No.8953 of 2021 :-

This Writ Miscellaneous Petition is filed to grant extension of time for the operation of the order in W.P(MD). 9037/2021 dated 30.4.2021 on the file of this Hon'ble Court .

Prayer in W.M.P.(MD)No.8955 of 2021 :-

This Writ Miscellaneous Petition is filed to grant extension of time for the operation of the order in W.P(MD). 9179/2021 dated 30.4.2021 on the file of this Hon'ble Court.

.Prayer in W.M.P.(MD)No.8956 of 2021 :-

This Writ Miscellaneous Petition is filed to grant extension of time for the operation of the order in W.P(MD). 9016/2021 dated 30.4.2021 on the file of this Hon'ble Court .



Prayer in W.M.P.(MD)No.8957 of 2021 :-

This Writ Miscellaneous Petition is filed to grant extension of time for the operation of the order in W.P(MD). 8913/2021 dated 30.4.2021 on the file of this Honble Court .

WEB COPY

Prayer in W.M.P.(MD)No.8959 of 2021 :-

This Writ Miscellaneous Petition is filed to grant extension of time for the operation of the order in W.P(MD). 8901/2021 dated 30.4.2021 on the file of this Honble Court .

Prayer in W.M.P.(MD)No.8961 of 2021 :-

This Writ Miscellaneous Petition is filed to grant extension of time for the operation of the order in W.P(MD). 9152/2021 dated 30.4.2021 on the file of this Hon'ble Court .

Prayer in W.M.P.(MD)No.8962 of 2021 :-

This Writ Miscellaneous Petition is filed to grant extension of time for the operation of the order in W.P(MD). 8936/2021 dated 30.4.2021 on the file of this Hon'ble Court .

Prayer in W.M.P.(MD)No.8965 of 2021 :-

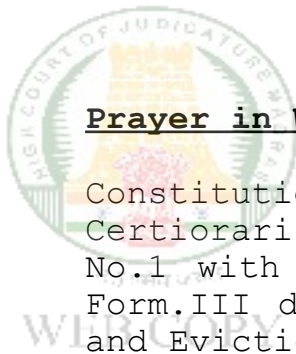
This Writ Miscellaneous Petition is filed to grant extension of time for the operation of the order in W.P(MD). 9050/2021 dated 30.4.2021 on the file of this Hon'ble Court .

Prayer in WP(MD) . 8847/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the Respondent No.1 with respect to the Impugned Order of the 1st Respondent in Form.III Dated 19/04/2021 under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and quash the same as illegal and consequently forbearing the Respondent No.1 or its men or agents from entering Schedule property of the petitioner in Survey No.243 A/1 A situated in the Keela Tiruchendur Village , Tiruchendur Taluk, Thoothukudi District.

Prayer in WP(MD) . 8947/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorified Mandamus, Calling for the records of the respondent no.1 with respect to the impugned order of the 1st respondent in Form III Dated 19.04.2021 under the Tamilnadu Protection of Tanks and Eviction of Encroachment Act, 2007 and quash the same as illegal and consequently forbearing the Respondent no.1 or its men or agents from entering schedule property of the petitioner in Survey no.243 A/1 a situated in the Keela Tiruchendur Village, Tiruchendur Taluk, Thoothukudi District.



Prayer in WP(MD). 9085/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the Respondent No.1 with respect to the Impugned Order of the 1st Respondent in Form.III dated 19.04.2021 under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and quash the same as illegal and consequently forbearing the Respondent No.1 or its men or agents from entering Schedule Property of the Petitioner in Survey No.243A/1A and 595 situated in the Keela Tiruchendur Village, Tiruchendur Taluk, Thoothukudi District.

Prayer in WP(MD). 8948/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to please to issue a Writ of Certiorarified Mandamus, calling for the records of the Respondent NO.1 with respect to the Impugned Order of the 1st Respondent in Form.III Dated 19.04.2021 under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and quash the same as illegal and consequently forbearing the Respondent No.1 or its men or agents from entering schedule property of the petitioner in Survey No.243 A/1 A and 595 situated in the Keela Tiruchendur Village, Tiruchendur Taluk, Thoothukudi District.

Prayer in WP(MD). 9037/ 2021 :

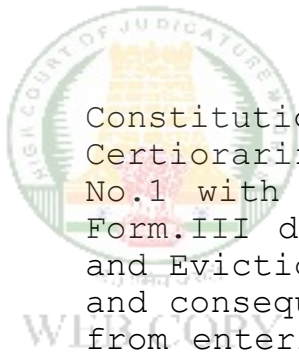
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to please to issue a Writ of Certiorarified Mandamus, Calling for the records of the Respondent No.1 with respect to the Impugned order of the 1st Respondent in Form.III dated 19.04.2021 under the Tamil Nadu protection of Tanks and Eviction of Encroachment Act, 2007 and quash the same as illegal and consequently forbearing the Respondent no.1 or its men or agents from entering schedule property of the petitioner in Survey no.297 situated in the Keela Tiruchendur Village, Tiruchendur Taluk Thoothukudi District.

Prayer in WP(MD). 9179/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the Respondent No.1 with respect to the Impugned Order of the 1st Respondent in Form.III dated 19.04.2021 under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and quash the same as illegal and consequently forbearing the Respondent No.1 or its men or agents from entering Scheduled Property of the petitioner in Survey No.243A/1A and 595 situated in the Keela Tiruchendur Village, Tiruchendur Taluk, Thoothukudi District.

Prayer in WP(MD). 8916/ 2021 :

Writ Petition is filed under Article 226 of the



Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the Respondent No.1 with respect to the impugned order of the 1st Respondent in Form.III dated 19.04.2021 under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and quash the same as illegal and consequently forbearing the Respondent No.1 or its men or agents from entering Schedule Property of the petitioner in Survey No. 297 situated in the Keela Tiruchendur Village, Tiruchendur Taluk, Thoothukudi District.

Prayer in WP(MD). 8913/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the Respondent No.1 with respect to the impugned order of the 1st respondent in Form.III dated 19.04.2021 under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and quash the same as illegal an consequently forbearing the respondent No.1 or its men or agents from entering Schedule Property of the Petitioner in Survey No. 243 A/1 A situated in the Keela Tiruchendur Village, Tiruchendur Taluk, Thoothukudi District.

Prayer in WP(MD). 8901/ 2021 :

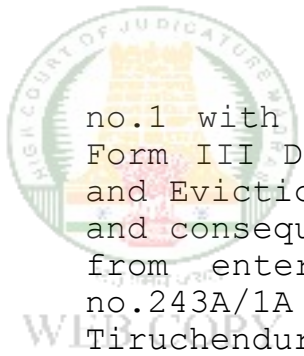
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Ceritorarified Mandamus, calling for the records of the Respondent No.1 with respect to the impugned order of the 1st respondent in Form.III dated 19.04.2021 under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and quash the same as illegal and consequently forbearing the Respondent No. 1 or its men or agents from entering Schedule Property of the petitioner in Survey No. 297 situated in the Keela Tiruchendur Village, Tiruchendur Taluk, Thoothukudi District

Prayer in WP(MD). 9152/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to pleased to issue a Writ of Certiorarified Mandamus calling for the records of the 1st Respondent in Form. III Dated 19.04.2021 under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and quash the same as illegal and consequently forbearing the Respondent No.1 or its men or agents from entering Schedule Property of the Petitioner in Survey No.595 situated in the Keela Tiruchendur Village, Tiruchendur Taluk, Thoothukudi District.

Prayer in WP(MD). 8936/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorifified Mandamus, calling for the records of the Respondnent



no.1 with respect to the impugned order of the 1st Respondent in Form III Dated 19.04.2021 under the Tamil Nadu protection of Tanks and Eviction of Encroachment Act, 2007 and quash the same as illegal and consequently forbearing the Respondent no.1 or its men or agents from entering scheduled property of the petitioner in Survey no.243A/1A and 595 situated in the Keela Tiruchendur Village, Tiruchendur Taluk, Thoothukudi District.

Prayer in WP(MD). 9050/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the Respondent No.1 with respect to the Impugned Order of the 1st Respondent in Form.III dated 19.04.2021 under the Tamil Nadu Protection of Tanks and eviction of Encroachment Act, 2007 and quash the same as illegal and consequently forbearing the Respondent No.1 or its men or agents from entering Schedule Property of the petitioner in Survey No.297 situated in the Keela Tiruchendur village, Tiruchendur Taluk, Thoothukudi District.

ORDER:-

These Writ Miscellaneous Petitions coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s.B.Ramkumar Adityan, Advocate for the Petitioner and of M/s.A.K.Manikkam, Government Advocate for the Respondents, this Court made the following order:

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

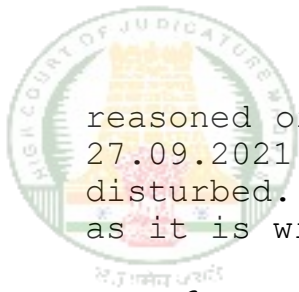
Heard Mr.B.Ramkumar Adityan, learned Counsel appearing for the petitioners.

2.These petitions have been filed seeking for extension of time to comply with the directions issued in the common order in W.P.[MD] No.8847 of 2021 etc., batch dated 30.04.2021.

3.On a perusal of the affidavit, we find that on account of the Covid-19 restrictions, the petitioners are unable to arrange for taking copies of the documents and there is also restricted public transport and therefore, they pray for time.

4.We have heard the learned Government Counsel on the above submission.

5.Taking note of the restrictions imposed during the Covid-19 pandemic, we extend the time for submission of the objections from 24.05.2021 till 09.09.2021. On receipt of the documents, the first respondent shall conduct an enquiry and if necessary, form a team for investigation of the place in question and thereafter, pass a



reasoned order on merits and in accordance with law, not later than 27.09.2021. Till then, the petitioner's possession shall not be disturbed. In the other respects, the order dated 30.04.2021 stands as it is without any modification.

6.It is made clear that no further extension of time will be granted. If the petitioners do not submit the objections along with supportive documents before the date fixed ie., 09.09.2021, the benefit of this order will not inure to the petitioners and these petitions will stand automatically dismissed, without reference to this Court and the respondents shall take action for removal of the encroachments.

7.Accordingly, these petitions are ordered.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

1. The Junior Engineer,
Public Works Department,
Water Resource Organisation,
South Channel Division,
Tamiraparani Irrigation System,
Thenthirupperai , Thoothukudi - 628 623.

2.The Tasildar
Tiruchendur Taluk Office,
Tiruchendur - 628215.

3. Executive Officer,
Tiruchendur Special Grade Town Panchayat,
Tiruchendur - 628215.

+1cc to Mr. Special Govt. Pleader, SR.22922

Copy to:

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court, Madurai



WEB COPY

WMP(MD).No.8949 of 2021 etc batch

ORDER DATED: 14/07/2021

=====

ORDER/Extension of Time

=====

WMP(MD).No.8949, 8950, 8951,
8952, 8953, 8955, 8956, 8957,
8959, 8961, 8962, 8965 of 2021
in

W.P.(MD)Nos.8847, 8947, 9085,
8948, 9037, 9179, 8916, 8913,
8901, 9152, 8936, 9050 of 2021

Giving direction and etc. as
stated within.

ES (CO)

TR(26.07.2021) 8P 6C