



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction**

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

PRESENT

**The Hon'ble Mr. Justice T.S.SIVAGNANAM
AND
The Hon'ble Mrs. Justice S.ANANTHI**

**WMP(MD) . No.8954 of 2021
in
WP(MD) .No.9099 of 2021**

Rajeshwari

... Petitioner/ Petitioner

Vs

1 Junior Engineer,
Public Works Department,
Water Resource Organisation,
South Channel Division,
Tamiraparani Irrigation System,
Thenthirupperai- 628623,
Thoothukudi District.

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

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

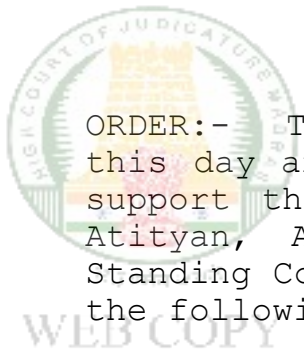
... Respondents/Respondents

Prayer in WMP(MD) . No.8954 of 2021:

Writ Miscellaneous Petition filed under Article 226 of the Constitution of India, to grant Extension of Time for the operation of the order in W.P.(MD)No.9099 of 2021 dated 01.06.2021 on the file of this Hon'ble Court.

Prayer in WP(MD).No. 9099 of 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 encroaching the Schedule Property of the petitioner in Survey No. 243A/1A and 595 situated in the Keela Tiruchendur Village, Tiruchendur Taluk, Thoothukudi District.



ORDER:- This Writ Miscellaneous Petition 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 Mr.B.Ramkumar Atityan, Advocate for the Petitioner and of Mr.A.K.Manickam, Standing Counsel For Government 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 petitioner.

2.This petition has been filed seeking for extension of time to comply with the directions issued in the order in W.P.[MD]No.9099 of 2021 dated 01.06.2021.

3.On a perusal of the affidavit, we find that on account of the Covid-19 restrictions, the petitioner is unable to arrange for taking copies of the documents and there is also restricted public transport and therefore, she prays 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 25.06.2021 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 01.06.2021 stands as it is without any modification.

6.It is made clear that no further extension of time will be granted. If the petitioner 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 petitioner and this petition will stand automatically dismissed, without reference to this Court and the respondents shall take action for removal of the encroachments.

7.Accordingly, this petition is ordered.

Sd/-

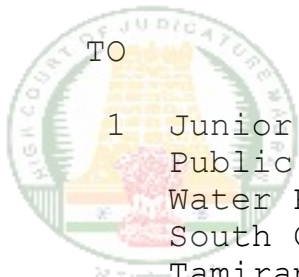
Assistant Registrar (CS I)

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/ /2021

Sub Assistant Registrar(CS)

MR



TO

1 Junior Engineer,
Public Works Department,
Water Resource Organisation,
South Channel Division,
Tamiraparani Irrigation System,
Thenthirupperai- 628623,
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2 The Tasildar,
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Tiruchendur- 628215.

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

Copy to:

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

ORDER DATED : 14/07/2021

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ORDER
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WMP(MD) . No.8954 of 2021
in
WP(MD) .No.9099 of 2021

Giving direction and etc.
as stated within.

MGJ(06.08.2021) 3P 5C