



WEB COPY

W.P.(MD) No.15029 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAIWAMY

W.P.(MD) No.15029 of 2021

Kumaravel

.. Petitioner

Vs

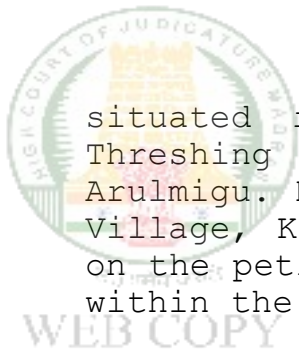
- 1.The District Collector,
Pudukkottai,
Pudukkottai District.
- 2.The District Revenue Officer,
Pudukkottai,
Pudukkottai District.
- 3.The Revenue Divisional Officer,
Pudukkottai,
Pudukkottai District.
- 4.The Assistant Director (Panchayats),
Pudukkottai,
Pudukkottai District.
- 5.The Tahsildar,
Alangudi Taluk,
Pudukkottai District.
- 6.The Assistant Engineer,
Public Works Department,
Peravurani,
Thanjavur District.
- 7.The Block Development Officer,
Thiruvarangulam,
Pudukkottai District.

8.Rajagopal

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus, directing the official respondents to remove the encroachments made by the 8th respondent and his henchmen and protect the Water catchments and its input canals in the irrigation water pond namely Aavudanic Water Pond

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situated in Survey No.28 and its extent of 3.31.50 hectares, Threshing Yard in S.No.2/10 and its extent of 0.31.5 hectares and Arulmigu. Muni Temple forest and Public Pathways of Seriayalur Inam Village, Keeramangalam, Alangudi Taluk, Pudukkottai District, based on the petitioner's representations, dated 05.06.2020 and 03.07.2021 within the stipulated time limit as fixed by this Court.

For Petitioner : Mr.NA.Palaniyandi

For Respondents : Mr.P.Thilakkumar for R1 to R7
Standing Counsel for Government

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

The grievance of the petitioner is that the private respondent No.8 has blocked a water channel to the prejudice of the villagers at Seriayalur Inam Village, Jamin Veeramangalam Village, Alangudi Taluk in Pudukkottai. According to the petitioner, a water pond called the Aavudanic water pond in Survey No.28 admeasuring more than 3.31 hectares has been encroached by the private respondent and previous representations made to the official respondents have yielded no result.

2.Mr.P.Thilak Kumar, learned standing counsel for the Government, appears on behalf of the official respondent Nos.1 to 7. According to him, it is the Thasildar who is required to look into the matter.

3.Accordingly W.P(MD).No.15029 of 2021 is disposed of by permitting the petitioner herein to carry a fresh, detailed representation pertaining to the perceived act of encroachment by the eighth respondent to the third respondent-Thasildar within a fortnight from date.

4.Upon receipt of such representation, the third respondent will inquire into the matter after issuing notice to the petitioner and the eighth respondent. The reasoned decision of the Thasildar should be made within eight weeks of the receipt of the petitioner's representation. Copies of the order should be forwarded to the petitioner, the eighth respondent and any other person likely to be affected thereby.

5.It is recorded that no previous service has been required on the eighth respondent since no prejudice is caused to the eighth respondent by this order and the third respondent-Thasildar has been required to issue notice even before conducting any inquiry on the



basis of any representation that may be filed by the petitioner herein.

There will be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR/RM

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,
Pudukkottai, Pudukkottai District.
- 2.The District Revenue Officer,
Pudukkottai, Pudukkottai District.
- 3.The Revenue Divisional Officer,
Pudukkottai, Pudukkottai District.
- 4.The Assistant Director (Panchayats),
Pudukkottai, Pudukkottai District.
- 5.The Tahsildar,
Alangudi Taluk, Pudukkottai District.
- 6.The Assistant Engineer,
Public Works Department,
Peravurani, Thanjavur District.
- 7.The Block Development Officer,
Thiruvarangulam, Pudukkottai District.

+1 CC to M/s.GP (SR-27205[F] dated 25/08/2021)

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-27126[F] dated 24/08/2021)

W.P.(MD) No.15029 of 2021

24.08.2021