



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.03.2021

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S. ANANTHI

W.P. (MD) No. 2386 of 2018

&

W.M.P. (MD) No. 2601 of 2018

and

W.P. (MD) No. 2451 of 2018

W.P. (MD) No. 2386 of 2018:-

N. Mayilsamy

... Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.

2. The Tahsildar,
Dindigul West,
Dindigul,
Dindigul District.

3. The Block Development Officer,
Reddiyarchatiram,
Dindigul Taluk,
Dindigul District.

4. The Assistant Engineer,
Public Works Department,
Ottanchathiram,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, forbearing from removing/destroying the coconut trees, Guava Trees, Drumstick Trees, standing crops and other property of the petitioner, in Survey Nos. 347/1, 347/2, 348/1 and 358/1, situated at Neelamalaikottai Village, Dindigul West Taluk, Dindigul District, without following due process of law and in violation of principles of natural justice.

For Petitioner : Mr. B. Saravanan

For Respondents : Mr. K. Mu. Muthu
Additional Government Pleader



W.P. (MD) No. 2451 of 2018:-

P. Gandhi

... Petitioner

Vs.

1. The District Collector,
Dindigul District.

2. The Tahsildar,
Dindigul West,
Dindigul District.

3. The Block Development Officer,
Reddiyarchatiram,
Dindigul Taluk,
Dindigul District.

4. The Executive Engineer,
Nanganjiyar Division,
Palani, Dindigul District.

5. The Divisional Engineer (TANGEDCO),
Ottanchattiram,
Dindigul District.

6. The Assistant Engineer (TANGEDCO),
Kannivaadi,
Dindigul District.

7. K. Karuppanan

8. M. Muruganathan

9. V. Chinnasamy

10. Sembarai @ Kalimuthu

11. Seenipandi

12. Thangam

13. Balakrishnan

14. Murugesan

15. Vijayalakshmi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 6 to take appropriate action in accordance with law and to remove all the encroachment in (1) Pullan Mudakku Odai, (2) Valakkudai Odai, (3) Molugu Ootru Odai, (4) Vellu Urundan Odai, (5) Sottu Oothu Odai, (6) Kaatu Odai, (7) Karuku Madai Odai and Sothainayackan Dam in Neelamalaikottai Village, Dindigul West Taluk, Dindigul District and also to appropriate the wells and bore wells in the water bodies mentioned above for the use of general public and to remove all fencing in the water bodies/Government lands put up by the encroachers within a stipulated time to be fixed by this



For Petitioner : Mr.H.Lakshmi Shankar
For R1 to R4 : Mr.K.Mu.Muthu
Additional Government Pleader
For R5 and R6 : Mr.S.M.S.Johny Basha
Standing Counsel

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COMMON ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The learned counsel appearing for the petitioner in W.P.(MD) No.2386 of 2018 submitted that nothing survives for further adjudication in this Writ Petition.

2.Recording the above said submission, **W.P. (MD) No.2386 of 2018 stands closed.** No costs. Consequently, W.M.P.(MD) No.2601 of 2018 is also closed.

3.Insofar as W.P.(MD) No.2451 of 2018 is concerned, a Communication, dated 29.03.2021, has been sent by the Tahsildar, Dindigul West, Dindigul District, to the learned Additional Government Pleader, wherein it has been stated that after field verification and survey, the petitioner himself has made a statement before the Village Administrative Officer, Neelamalaikottai Village, Dindigul West Taluk, Dindigul District, that there is no encroachment and he is withdrawing the statements made by him against the private respondents.

4.Recording the above said statement, **W.P. (MD) No.2451 of 2018 stands closed.** No costs.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

smn2

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 Tahsildar,
Dindigul West,
Dindigul,
Dindigul District.
- 3.The Block Development Officer,
Reddiyarchatiram,
Dindigul Taluk,
Dindigul District.
- 4.The Assistant Engineer,
Public Works Department,
Ottanchathiram,
Dindigul District.
- 5.The Executive Engineer (PWD),
Nanganjiyar Division,
Palani, Dindigul District.
- 6.The Divisional Engineer (TANGEDCO),
Ottanchattiram,
Dindigul District.
- 7.The Assistant Engineer (TANGEDCO),
Kannivaadi,
Dindigul District.
- 8.The Village Administrative Officer,
Neelamalaikottai Village,
Dindigul West Taluk, Dindigul District.

+1 CC to M/s.B.SARAVANAN, Advocate (SR-14658[F] dated 31/03/2021)
+1 CC to M/s.SPL GP (SR-14801[F] dated 31/03/2021)

Common order made in
W.P. (MD) Nos.2386 and 2451 of 2018
30.03.2021

ac(CO)
TR(15.04.2021) 4P 11C