



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2021

CORAM :

WEB COPY

**THE HON'BLE MR.MUNISHWAR NATH BHANDARI,  
ACTING CHIEF JUSTICE  
AND  
THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA**

**W.P. (MD) No.22489 of 2021**

Saravanan .. Petitioner

Vs.

- 1.The District Collector,  
Collectorate Office,  
Pudukottai District,  
Pudukkottai.
- 2.The District Revenue Officer,  
Collectorate Office,  
Pudukkottai.
- 3.The Revenue Divisional Officer,  
Revenue Divisional Office,  
Pudukottai.
- 4.The Tahsildar,  
Tahsildar Office,  
Pudukottai.
- 5.Block Development Officer (Village Panchayat)  
Kallukaranpatti Village,  
Pudukkottai Taluk and District.
- 6.Muthu
- 7.Rajendran
- 8.Subramanian .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, directing the respondents No.1 to 5 to remove the encroachment made by the 6<sup>th</sup> to 8<sup>th</sup> respondents in the water body land classified as ''Wari Poromboke'' as per revenue records in survey number 400/2 at Vandanpatti Street, Kallukkaranpatti Village, Pudukottai District and consequently



directing the respondents no.1 to 5 to make necessary arrangements by restoring it to its original position for free flow of water over the canal in order to utilize the same for agricultural purpose based on the petitioner's representation dated 06.09.2021.

For Petitioner : Mrs.A.Banumathy  
For R1 to R3 : Mr.M.Siddharthan  
Additional Government Pleader

**ORDER**

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

This Public Interest Litigation has been filed seeking restoration of the position of canal with free flow, so that the water may be used for agricultural purposes. The representation for this purpose was given on 06.09.2021, indicating the encroachments on the canal obstructing the free flow of water. A period of more than 3 months have already passed after the representation. The respondents are expected to take action immediately within the intervening period.

2. The learned Additional Government Pleader submits that apart from the encroachments referred to by the petitioner, there are other encroachments in the canal.

3. In view of the above, after taking into consideration the survey numbers of the canal, the respondents are expected to take immediate action pursuant to the representation made by the petitioner and if any encroachment exists, after according a personal hearing to the private respondents and others who have encroached the canal, remove the encroachments so as to restore the canal, as pleaded by the learned counsel for the petitioner. The process aforesaid would be completed within a period of three months from the date of receipt of a copy of this order, with a report to this Court.

4. With the aforesaid direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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,  
Collectorate Office,  
Pudukottai District,  
Pudukkottai.
- 2.The District Revenue Officer,  
Collectorate Office,  
Pudukkottai.
- 3.The Revenue Divisional Officer,  
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- 4.The Tahsildar,  
Tahsildar Office,  
Pudukottai.
- 5.Block Development Officer (Village Panchayat)  
Kallukaranpatti Village,  
Pudukkottai Taluk and District.

+1 CC to M/s.SPL.GP ( SR-39720[F] dated 21/12/2021 )

**W.P. (MD) No.22489 of 2021**  
**20.12.2021**

MGJ(30.12.2021) 3P 7C