



WEB COPY

W.P(MD).No. 24804 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2021

CORAM :

**The Hon'ble Mr.JUSTICE T.S.SIVAGNANAM**

**AND**

**The Hon'ble Mrs.JUSTICE S.ANANTHI**

W.P(MD).No. 24804 of 2019

L. David Amalraj ... Petitioner

**Vs**

1. The District Collector,  
Tirunelveli District,  
Tirunelveli.
2. The District Revenue Officer,  
Collectorate, Tirunelveli District.
3. The Revenue Divisional Officer,  
Cheranahadevi, Tirunelveli District.
4. The Tahsildar,  
Ambasamuthiram, Tirunelveli District.
5. The Superintend Engineer,  
Public Works Department,  
Palayamkottai,  
Tirunelveli District.
6. Sellammal
7. A. Palraj
8. Mookkammal
9. Sankaran

... Respondents

**PRAYER** : Petition filed under Article 226 of the Constitution of India, to issue a writ order or direction particularly in the nature of *Writ of Mandamus* directing the respondents 1 to 5 to remove the encroachment made by the respondents 6 to 9 in Survey No.107 in Veilkalapatti Village, Kadayam perumpathu, Ambasamuthiram, Tirunelveli District within a time frame stipulated by this Court.

For Petitioner : Mr.S.A. Ajmalkhan

For Respondents 1 to 5 : Mr.A.K. Manikkam  
Standing Counsel for Government

For Respondents 6 to 9 : No Appearance



**ORDER**

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

This writ petition has been filed praying for a direction to the respondents 1 to 5 to remove the encroachment made by the respondents 6 to 9 in a water channel.

2. Notice has been served on the respondents 6, 7 & 8 and the notice sent to the 9<sup>th</sup> respondent was returned 'unclaimed'. The names of the respondents are printed in the cause list.

3. The representation given by the petitioner in the year 2016 is yet to be acted upon and though the petitioner has made several requests followed by various other representations, no action has been initiated. The official respondents have also not filed any counter affidavit in the writ petition. Therefore, no useful purpose would be served by keeping the writ petition pending.

4. Therefore, we direct the petitioner to submit one more representation along with copies of earlier representations and copy of this order and submit the same to the 4<sup>th</sup> respondent and the 4<sup>th</sup> respondent on receipt of the representation shall direct one of his officers to conduct enquiry, after issuing notice to the petitioner and the respondents 6 to 9 and if there is any encroachment made in the water channel, action should be initiated by the competent authority, after issuing notice to the encroachers. This direction shall be complied with within a period of three months from the date of receipt of copy of this order.

5. In the result, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ksa

*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,  
Tirunelveli District,  
Tirunelveli.
2. The District Revenue Officer,  
Collectorate, Tirunelveli District.
3. The Revenue Divisional Officer,  
Cheranahadevi, Tirunelveli District.
4. The Tahsildar,  
Ambasamuthiram, Tirunelveli District.
5. The Superintend Engineer,  
Public Works Department,  
Palayamkottai,  
Tirunelveli District.

+1 CC to M/s.GP ( SR-23709[F] dated 23/07/2021 )

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RK (05.08.2021) 3P 7C