



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.27304 of 2019

S. Alagar

... Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.
2. The District Revenue Officer,
District Collector's Complex,
Madurai 625 020.
3. The Chief Engineer,
Water Resource Department,
Public Works Department,
Madurai Zone, Madurai 625 002.
4. The Revenue Divisional Officer,
Melur, Yothakadai, Madurai District.
5. The Tahsildar,
Madurai South,
Madurai 625 020.
6. S.K. Jewellers
Through its Proprietor, Madurai.
7. Alkurshi Furnitures
Through its Proprietor, Madurai.
8. Jass Stores, Madurai.
9. velayudam pillai Vadhiyar Petrole Pump,
Madurai.

... Respondents

(R6 to R9 were impleaded as respondents
as per order of this Court made in
WMP(MD)N0. 2359 of 2020 dated 01.09.2021)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encroachment made in northern side of water tank in Survey Nos. 23/1,2,3,5 and 6, an extent of 36.23.0 Hectare of Village-Panaiyoor of Madurai South, Madurai District and further



direct the respondents to ensure the water tank is free from encroachment, by considering the petitioner's representation dated 19.11.2019, within the period as stipulated by this Court.

For Petitioner : Mr.A. Haja Mohideen

For Respondents : Mr.P.Thilak Kumar
Government Pleader
for R1 to R5

ORDER

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

The petitioner has filed the above Writ Petition as a Public Interest Litigation to issue a Writ of Mandamus directing the respondents to remove the encroachment made in the northern side of water tank in Survey Nos. 23/1,2,3,5 and 6, measuring an extent of 36.23.0 Hectare of Panaiyoor Village, Madurai South, Madurai District and further direct the respondents to ensure the water tank is free from encroachment, by considering the petitioner's representation, dated 19.11.2019.

2. It is the case of the petitioner that the private respondents have encroached the above referred land and therefore the official respondents should remove the encroachment made by them.

3. Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 to 5 submitted that in the event of the private respondents encroaching the lands in Survey Nos. 23/1, 2, 3, 5 and 6, the fifth respondent would take appropriate steps to remove the encroachment.

4. In view of the submission made by the learned Government Pleader, Mr.A.Haja Mohideen learned Counsel appearing for the petitioner submitted that the Writ Petition may be closed.

5. Accordingly, recording the submissions made by the learned Government Pleader the Writ Petition stands closed. No costs.

Sd/-

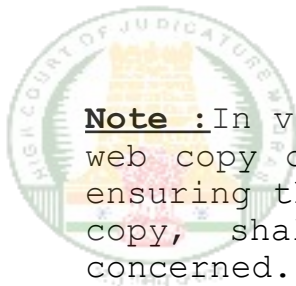
Assistant Registrar (CS-I)

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/ /2021

Sub Assistant Registrar(CS)

LR/SSL



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.

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To

1. The District Collector,
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Public Works Department,
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4. The Revenue Divisional Officer,
Melur,
Yothakadai, Madurai District.
5. The Tahsildar,
Madurai South,
Madurai 625 020.

+1 CC to M/s.GP (SR-27891[F] dated 02/09/2021)

W.P (MD) No.27304 of 2019
01.09.2021

RD(15.09.2021) 3P 7C