



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.10407 of 2022

S.Ramachandran

.. Petitioner

Vs

- 1 The District Collector
District Collectorate
Cuddalore District.
- 2 The Revenue Divisional Officer
Virudhachalam, Cuddalore District.
- 3 The Tahsildar
Taluk Office, Tittakudi
Cuddalore District.
- 4 The Superintending Engineer
Water Resources Development Department
Virudhachalam, Cuddalore District.
- 5 Pandian
- 6 Baladhandayathan
- 7 Karuppusamy
- 8 Palaniammal
- 9 Murugan
- 10 Kumar
- 11 Kasiammal
- 12 Rajendran

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing respondents 1 to 4 to consider petitioner's representation dated 16.02.2022 and consequently direct respondents 1 to 4 to remove the encroachment in lake channel between S.No.403 and 380 and between in S.No.448 and 380, Tholar Village, Cuddalore District.



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For the Petitioner : Mr.S.N.Subramani

For the Respondents : Mr.J.Ravindran
Additional Advocate General
assisted by
Mr.A.Selvendran
Special Government Pleader
for respondents 1 to 4

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This writ petition has been filed to seek a direction on the respondents 1 to 4 to remove the encroachment in the lake channel between S.No.403 and 380 and between S.No.448 and 380 of Tholar Village, Cuddalore District.

2. A representation alleging encroachment on the land by the respondents 5 to 12 was made by the petitioner on 16.02.2022. It is alleged that no action pursuant to it has been taken.

3. Learned Additional Advocate General submitted that if the representation is pending consideration, they will take action in accordance with law and for that, they would first conduct a survey to find out whether the encroachment exists or not and if the encroachment is found, they will proceed to remove the same, after complying with the provisions of law.

4. In view of the statement made by learned Additional Advocate General, there is no necessity to issue notice on the respondents 5 to 12, because action, if any would be taken as per law.

5. Accordingly, the writ petition is disposed of with a direction to the respondents 1 to 4 to conduct a survey of the land between S.No.403 and 380 and between S.No.448 and 380 of Tholar Village in reference to the representation of the petitioner and if any encroachment is found, then the respondents 1 to 4 would be at liberty to proceed further in accordance with law, after issuing notice to the encroachers. There will be no order as to costs.

Sd/-

Assistant Registrar(CS V)

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Sub Assistant Registrar



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Cuddalore District.
- 4 The Superintending Engineer
Water Resources Development Department
Virudhachalam, Cuddalore District.

+1cc to Mr.S.N.Subramani, Advocate, S.R.No.29441
+1cc to the Government Pleader, S.R.No.30969

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NSK 06/05/2022