



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2022

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.16422 of 2014

&

M.P.No.1 of 2014

A.Dhinakaran

... Petitioner

Vs

1.The District Collector,
Thiruvannamalai District.

2. The President,
Arudhrapattu Panchayat,
Thiruvannamalai Revenue District.

3. Mr.Velu,
Son of Krishna Reddiar,
Arudhrapattu Village and Post,
Via Pavithram,
Thiruvannamalai Taluk and District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first and second respondents to take appropriate steps and prevent the third respondent or anybody claiming under through him from laying a road and converting the channel connecting the tank/lake in Survey No.13/3 and the lands at Arudhrapattu Village and Post Thiruvannamalai Taluk and District.

For Petitioner	: Mr.K.G.Vasudevan
For Respondents	: Mr.C.Jayaprakash
For R1	: Government Advocate
For R2 to R3	: -NA-

O R D E R

The petitioner seeks a direction to the first and the second respondents to take appropriate steps and to prevent the third



respondent from laying a road and converting the channel connecting the tank/lake in Survey No.13/3 and the lands at Arudhrapattu Village and Post Thiruvannamalai Taluk and District.

2. A counter has been filed by The District Collector, Thiruvannamalai District/R1, wherein at paragraph 5, he categorically state as follows:-

"I respectfully submits that, the para 4 of the affidavit, the statement made therein are denied and the petitioner is put to strict proof thereof. There is no such an attempt had been made by the panchayat or third party to encroach the tank poromboke land for road. In case there is any overt act has been done, we can direct concerned authority to take action. But till date no act has been spotted in support of the petitioner's claim. We have been regularly taking action against illegal encroachments and we have been constantly following the Acts governing Public Tanks and Channels. Any act disturbing the course of water or any alleged act or disturbing the water distribution system by illegal encroachment or unauthorized conversion has been brought to our knowledge. We are taking immediate action to protect the water bodies. But in the case of the petitioner, the alleged activities are assumptions and presumptions. Till date no representation has been given to the 1st respondent. However, if any of these kind of illegal encroachments or conversion has been brought to our knowledge, we would ensure immediate action appropriately."

3. In light of the statement to the effect that there is no attempt as apprehended by the petitioner to cut through the water channel serving his agricultural lands, the grievances of the petitioner stand allayed and recording the same, this writ petition stands closed. Consequently connected miscellaneous petition is also closed. No Costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



nst/sl
To

1.The District Collector,
Thiruvannamalai District.

2. The President,
Arudhrapattu Panchayat,
Thiruvannamalai Revenue District.

+lcc to Mr.K.G.Vasudevan, Advocate Sr.24612

+lcc to the Government Pleader Sr.24576

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gmr[col
srg 29/04/2022