



W.P.No.27737 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2022

CORAM :

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

AND

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.No.27737 of 2022

S.Kannan

.. Petitioner

Vs

1.The District Collector,
Chengalpet-603 001.

2.The Assistant Director (Panchayats),
Collectorate Campus,
Kancheepuram-631 501.

3.The Block Development Officer,
Thiruporur Union,
Kancheepuram -631 501.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to consider the petitioner's representation dated 25.07.2022 requesting to remove the encroachment in waterbodies comprised in Survey Nos.23, 24, 25, 52, 43 of Kelambakkam Village and to restore the banks of Thazhathangal lake.



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For the Petitioner : Mr.D.Parventhan

For the Respondents : Mr.A.Selvendran
Spl. Government Pleader

ORDER

(Order of the court was made by D.KRISHNAKUMAR,J.)

This writ petition has been filed by the petitioner to remove the encroachment made in the waterbodies comprised in S.Nos.23, 24, 25, 52 and 43 of Kelambakkam Village and to restore the banks of Thazhathangal lake.

2. Today when the matter is taken up for hearing, Mr.A.Selvendran, learned Special Government Pleader appearing for the respondents, submitted that the aforesaid lands have been classified as under:

- | | |
|---------------------|---|
| (a) S.No.43 | ... Thazahnthangal lake; |
| (b) S.Nos.52 and 23 | ... Pond; |
| (c) S.Nos.24 and 25 | ... Tharisu land; |
| (d) S.No.24 | ... Tharisu land
(pathway of S.No.25/2); |
| (e) S.No.25/2 | ... Punjai Tharisu land |



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Learned Special Government Pleader further submitted that there is no encroachment in the lands in question, but the land in S.No.25/2 is being used for dumping garbage. It is further submitted that to establish a Solid Waste Management Yard, the Environmental Foundation of India obtained jungle clearance and has put up fencing and, barring the aforesaid, there is no encroachment.

3. Recording the submission made by learned Special Government Pleader, the writ petition is disposed of. However, it is made clear that if the statement recorded above is not true, it is open to the petitioner to seek appropriate remedy in the manner known to law. We also direct the respondent authorities to periodically inspect the lands in question for preventing encroachments. There will be no order as to costs.

(D.K.K., J.) (K.R., J.)
25.11.2022

Index : Yes/No
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