

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2022

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

Writ Petition No.27164 of 2022

C.R.Sornam

.. Petitioner

Vs.

1. The District Collector
Coimbatore
Coimbatore District.
2. The Revenue Divisional Officer
Coimbatore South
Coimbatore District.
3. The Tahsildar
Coimbatore South Taluk
Coimbatore District.
4. The Superintending Engineer
PWD/WRO, Coimbatore
Coimbatore District.
5. The Executive Engineer
PWD/WRO, Pollachi
Coimbatore District.

6. The Commissioner
Coimbatore City Municipal Corporation
Coimbatore
Coimbatore District.

7. The President
Safa Garden Residents Association
Vinyaga Nagar
Sungam By Pass Road
Coimbatore.

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 4 and 5 to remove the encroachment made by the respondents 6 and 7 in water canal comprised in S.No.16/2 situated at Ramanathapuram Village, Coimbatore South Taluk, Coimbatore and to provide the free flow of water in the water channel by considering the petitioner's representations dated 30.06.2021 and 31.03.2022.

For the Petitioner : Mr.S.Paneerselvam
For Mr.K.Myilsamy

For the Respondents : Mr.J.Ravindran
Additional Advocate General
Assisted by
Mr.A.Selvendran
Special Government Pleader
for Respondents 1 to 5

ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed for a direction to the respondents 4 and 5 to remove the encroachment made by the respondents 6 and 7 in water canal comprised in S.No.16/2 situated at Ramanathapuram Village, Coimbatore South Taluk, Coimbatore.

2. A perusal of the proceedings of the Village Administrative Officer dated 15.10.2020, addressed to the Revenue Inspector, Coimbatore, would disclose that the Village Administrative Officer has conducted a survey of the land in S.No.16/2, Ramanathapuram Village, Coimbatore South Taluk, Coimbatore, which is classified as Vaikkal Poramboke and found that there is an encroachment. It is also stated that the said encroachment may be removed through Public Works Department.

3. Mr.J.Ravindran, learned Additional Advocate General submits that though the proceedings of the Village Administrative Officer supports the allegation of the petitioner that there is an encroachment

in the waterbody, the officials of the Public Works Department would also conduct a survey of the land in question tomorrow (13.10.2022) and based on their report and the report of the Village Administrative Officer, the encroachment will be removed by following the due process of law.

4. Recording the above submission, this writ petition is disposed of, directing the official respondents to complete the process of removal of encroachment within a period of eight weeks from the date of receipt of a copy of this order. There will be no order as to costs.

(T.R., ACJ.) (D.K.K., J.)
12.10.2022

Index : Yes/No

kpl

To

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T.RAJA, ACJ,
and
D.KRISHNAKUMAR,J
(kpl)

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