

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.10.2022

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

Writ Petition No.26585 of 2022

Sundarasamy

.. Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by its Secretary to Government
Revenue Department
Fort St. George
Secretariat
Chennai 600 009.
2. The District Collector
Tiruppur District
Tiruppur.
3. The Sub Collector cum
Revenue Divisional Officer
Dharapuram
Tiruppur District.
4. The Tahsildar
Dharapuram Taluk
Tiruppur District.

5. The Municipal Commissioner
Dharapuram Municipality
Dharapuram
Tiruppur District.

6. The Executive Engineer
Public Works Department
Dharapuram
Tiruppur District.

7. The Church of South India (CSI)
Rep. by its Administrator
Dharapuram
Tiruppur District.

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 1 to 6 to remove the encroachment made by the seventh respondent by raising compound wall over the pond land at S.F.No.589/A of Chitravuthanpalaym Village of Dharapuram Taluk which now merged with Dharapuram Town and re-classified as Tharisu Poromboke land in T.S.Nos.49, 51, 52/1 and 52/2 of Wrd No.6 of Block No.17 in Dharapuram Town of Tiruppur District by considering the representation of the petitioner dated 12.08.2022.

For the Petitioner : Mr.N.Ponraj

For the Respondents : Mrs.R.Anitha
Special Government Pleader
for Respondents 1 to 4 & 6

ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed seeking a direction to the official respondents to remove the encroachment made by the seventh respondent in the pond land at S.F.No.589/A of Chitravuthanpalaym Village of Dharapuram Taluk, now re-classified as Tharisu Poromboke land in T.S.Nos.49, 51, 52/1 and 52/2 of Wrd No.6 of Block No.17 in Dharapuram Town of Tiruppur District.

2. Mrs.R.Anitha, learned Special Government Pleader accepting notice for the respondents 1 to 4 and 6, submitted that the official respondents would conduct a survey and inspection to find out as to whether there is any encroachment in the waterbody, which is now classified as Tharisu and if there is any encroachment, the same would be removed by following the due process of law.

3. The above submission is recorded and the writ petition is disposed of with a direction to the official respondents to conduct survey and remove the encroachment, if any, within a period of six

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.)
11.10.2022

Index : Yes/No

kpl

To

1. The Secretary to Government
Revenue Department
Fort St. George, Secretariat, Chennai 600 009.
2. The District Collector
Tiruppur District, Tiruppur.
3. The Sub Collector cum Revenue Divisional Officer
Dharapuram, Tiruppur District.
4. The Tahsildar, Dharapuram Taluk, Tiruppur District.
5. The Municipal Commissioner
Dharapuram Municipality
Dharapuram, Tiruppur District.
6. The Executive Engineer
Public Works Department
Dharapuram, Tiruppur District.

W.P.No.26585 of 2022

T.RAJA, ACJ,
and
D.KRISHNAKUMAR,J

(kpl)

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10.10.2022