



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2022

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.NO.32986 OF 2018

&

WMP.NO.291 OF 2019

K.Sundararaj

.. Petitioner

vs

1. The Govt of Tamil Nadu.
Rep. by its Secretary to Government, Public
Works Department Chennai-9.
2. The District Collector
Tiruvallur District, Tiruvallur, Tamil Nadu
602 001.
3. The Chief Engineer
Operation and Maintenance, PWD (WRO)
Chepauk, Chennai-5.
4. The Executive Engineer
Kosasthalai River Basin Division, Tiruvallur
Division, Tiruvallur District. Tamil Nadu.
5. The Commissioner
Ellapuram Panchayat Union, Periyapalayam,
Tiruvallur District. Tamil Nadu 601 102.
6. The Block Development Officer
Rural Development Office, Ellapuram
Panchayat Union, Periyapalayam,
Tamil Nadu. 601 102.
7. The Tahsildar
Uthukottai Taluk Office, Uthukottai,
Tiruvallur District. Tamil Nadu 602 026.

.. Respondents



Prayer: Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to remove the encroachments in the water bodies comprised in Survey Nos.2, 13, 15, 32, 33, 34, 39, 99/2, 114, 116, 118, 119, 120, 121 and 133 in Alinjivakkam Village, Dhandumedu Madura, Uthukottai Taluk, Tiruvallur District as per the directions passed by this Honourable Court in T.K.Shanmugam vs. State of Tamil Nadu and Ors in W.P.No.1294 of 2009 reported in (2015) 5 LW 397 (FB).

For Petitioner : Mr.Dineshkumar

For Respondents : Mr.J.Ravindran,
Additional Advocate General
assisted by
Mr.P.Muthukumar,
State Government Pleader

ORDER

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

We have heard the learned counsel appearing for the respective parties.

2. The writ petition has been filed seeking a direction to the respondents to remove the encroachments in the water bodies comprised in different survey numbers mentioned in the writ petition.

3. A counter has been filed by the State Government Pleader to indicate that the encroachments have already been removed.

4. Learned counsel for the petitioner disputes the aforesaid statement with regard to a few areas. However, it is seen that the encroachment in the larger area has been removed.

5. In view of the above, we close the writ petition with liberty to the petitioner that if any encroachment is made or exists, he may maintain a fresh writ petition, so that appropriate directions will be given for the specific area.



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Consequently, the connected WMP is also closed. There will be no order as to costs.

Sd/-
Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

RS

To:

1. The Secretary to Government of Tamil Nadu,
Public Works Department Chennai-9.
2. The District Collector, Tiruvallur District,
Tiruvallur, Tamil Nadu. 602 001.
3. The Chief Engineer, Operation and
Maintenance, PWD (WRO), Chepauk, Chennai-5.
4. The Executive Engineer
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Tamil Nadu. 601 102
7. The Tahsildar, Uthukottai Taluk Office, Uthukottai,
Tiruvallur District. Tamil Nadu 602 026.

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GPL (CO)
RLP (03/03/2022)