



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2022

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.1022 of 2022

Sahaya Arulraj

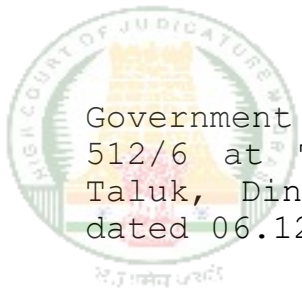
... Petitioner

Vs.

- 1.The District Collector,
Collectorate Office,
Dindigul District,
Dindigul.
- 2.The District Revenue Officer,
Collectorate Office,
Dindigul District.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Dindigul.
- 4.The Tahsildar,
Tahsildar Office,
Dindigul East Taluk,
Dindigul District.
- 5.Block Development Officer (Village Panchayat),
Sanarpatti Village,
Dindigul District.
- 6.S.Sesuraj
- 7.S.Mariya Arokiyam
- 8.A.David Iruthayasamy
- 9.S.Aruputham
- 10.S.Arulsamy
- 11.A.Arokiyadoos
- 11.A.Charlas
- 13.R.Pitchai
- 14.G.Selvaraj
- 15.Johnmeri
- 16.A.Arulappan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the Respondent No.1 to 5 to remove the encroachment made by the 6th to 16th respondents herein in the "water body" land classified as a



Government land in Survey Nos.488/2, 285, 505/2A, 505/2B, 505/2C, 512/6 at T.Panchampatti Village, Kosavapatti Post, Dindigul East Taluk, Dindigul District based on the Petitioner's representation dated 06.12.2021.

WEB COPY

For Petitioner : Ms.A.Banumathy
For Respondent Nos.1 to 4 : Mr.B.Saravanan
Additional Government Pleader
For Respondent No.5 : Mr.S.P.Maharajan
Standing Counsel

O R D E R

(Order of the Court was made by PUSHPA SATHYANARAYANA,J.)

The Writ Petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the Respondent Nos.1 to 5 to remove the encroachment made by the 6th to 16th respondents herein in the "water body" land classified as a Government land in Survey Nos.488/2, 285, 505/2A, 505/2B, 505/2C, 512/6 at T.Panchampatti Village, Kosavapatti Post, Dindigul East Taluk, Dindigul District based on the Petitioner's representation dated 06.12.2021.

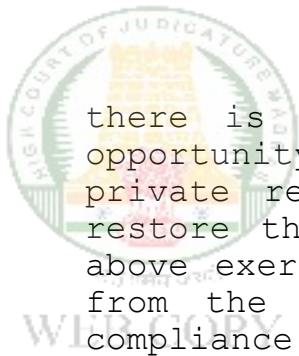
2.Mr.B.Saravanan, learned Additional Government Pleader, accepts notice on behalf of respondent Nos.1 to 4 and Mr.S.P.Maharajan, learned Standing Counsel, accepts notice on behalf of the fifth respondent. In view of the order we propose to pass in this Writ Petition, giving opportunity to the private respondents to present their case, notice to respondent Nos.6 to 16 is dispensed with.

3.By consent of both sides, this Writ Petition itself is taken up for final disposal at the time of admission.

4.The petitioner seems to have been sending several representations from the year 2018, the copies of which are attached to the typed set of papers. The last of such representation was dated 02.12.2021, which has been received by the fifth respondent on 04.12.2021, however, there is no action taken by the respondents. Though the petitioner has been fighting for removal of encroachment from the waterbody from the year 2018, the respondents, who are expected to take action immediately, had not done so.

5.The learned Additional Government Pleader appearing for the respondent Nos.1 to 4 and the learned Standing Counsel appearing for the fifth respondent, on instructions, submitted that respondent Nos.1 to 4 require three months time to remove the encroachments.

6.Considering the fact that the encroachments are on waterbody, the respondents Nos.1 to 4 are expected to take immediate action, if



there is any encroachment in the waterbody, after affording an opportunity of personal hearing to the encroachers, including the private respondents, remove the same in accordance with law and restore the waterbody as has been pleaded by the petitioner. The above exercise should be completed within a period of three months from the date of receipt of a copy of this order and report compliance thereafter.

7.The Writ Petition stands disposed of with the above directions. No costs.

Post the matter on **07.06.2022** for reporting compliance.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sj

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

- 1.The District Collector,
Collectorate Office,
Dindigul District,
Dindigul.
- 2.The District Revenue Officer,
Collectorate Office,
Dindigul District.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Dindigul.
- 4.The Tahsildar,
Tahsildar Office,
Dindigul East Taluk,
Dindigul District.
- 5.Block Development Officer (Village Panchayat),
Sanarpatti Village,
Dindigul District.



COPY TO:

The Section Officer, Writ Posting,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.P.MAHARAJAN, Advocate (SR-2305[F] dated 25/01/2022)
+1 CC to M/s.SPL.GP (SR-2370[F] dated 25/01/2022)

W.P(MD)No.1022 of 2022

24.01.2022

_RD(04.02.2022) 4P 9C