



W.P(MD)No.8869 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

**W.P(MD)No.8869 of 2020
and
W.M.P(M)No.8129 of 2020**

Kannan

... Petitioner

VS.

1.The District Collector,
Madurai District, Madurai.

2.The Commissioner,
Madurai Corporation,
Madurai – 625 002.

3.The Tahsildar,
Madurai East Taluk,
Narasingam, Madurai District.

4.The Assistant Executive Engineer,
Public Works Department,
Tallakulam,
Madurai – 625 002.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to forthwith build/form Northern bund in Uthangudi Tank situated in Survey



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WEB COPY No.7/1B, Uthangudi Village, Madurai, before the coming monsoon as per the proceedings of the third respondent in Oo.Mu.No.1837/2019/A3, dated 26.07.2019.

For Petitioner : Mr.P.M.Vishnuvarthanan
For RR 1, 3 & 4 : Mr.P.Thilak Kumar
Government Pleader
For R – 2 : Mr.R.Murali

ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

The prayer in this Writ Petition is for issuance of a Writ of Mandamus, directing the respondents to forthwith build/form Northern bund in Uthangudi Tank situated in Survey No.7/1B, Uthangudi Village, Madurai, before the coming monsoon as per the proceedings of the third respondent in Oo.Mu.No.1837/2019/A3, dated 26.07.2019.

2.The learned counsel appearing for the petitioner submitted that though the third respondent, vide proceedings in Oo.Mu.No.1837/2019/A3, dated 26.07.2019, directed the fourth respondent to take action on the complaint made by the petitioner with regard to removal of encroachment in the Northern side of the aforesaid Uthangudi Tank, no action has been taken till date. Hence, this Writ Petition.



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3.The learned Government Pleader appearing for the respondents 1, 3 & 4 submitted that subsequent to the filing of the Writ Petition, entire encroachments in the aforesaid Tank have been removed and he has produced the photographs to that effect.

4.On the other hand, the learned counsel appearing for the petitioner submitted that unless and until the bund is constructed in the Northern side of the aforesaid Tank, encroachments will continue.

5.In view of the abovesaid submissions, this Writ Petition is disposed of directing the authorities concerned to take further course of action so as to curtail further encroachments. No costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
Internet : Yes
ps

[R.M.D.,J.] [J.S.N.P.,J.]
24.11.2022



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R.MAHADEVAN,J.
and
J.SATHYA NARAYANA PRASAD,J.

ps

ORDER MADE IN
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DATED : 24.11.2022