



W.P.(MD) No.9805 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2022

CORAM:

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

**W.P.(MD) No.9805 of 2022
and
W.M.P.(MD) No.7024 of 2022**

Sivakumar

... Petitioner

-VS-

- 1.The District Collector
Pudukkottai District
Pudukkottai
- 2.The District Revenue Officer
Office of the District Revenue Office
Pudukkottai District
- 3.The Block Development Officer
Aranthangi
Pudukkottai District
- 4.The Territory Manager
Indian Oil Corporation Limited
Divisional Office
Thillai Nagar
Trichy District



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5.The Divisional Engineer
Highways Department & Construction
and Maintenance
Pudukkottai District
Pudukkottai District

6.Rajarathinam

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 5 to conduct survey pertaining to feeding channel in S.F.No.46, Ettiyathali Village, Aranthangi Taluk, Pudukkottai District and remove the encroachment made by the sixth respondent and consequently direct the sixth respondent to comply the conditions given by the fifth respondent in light of proceedings letter No.K/No/1231/2020/EVA2, dated 19.10.2020, based on petitioner's representation dated 18.04.2022.

For Petitioner : Mr.K.Ilaiyaraja

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1, R2, R4 & R5
Mr.V.Nirmal Kumar
Government Advocate for R3



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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 1 to 5 to conduct survey in the feeding channel in S.F.No.46 of Ettiyathali Village, Aranthangi Taluk, Pudukkottai District, remove the encroachment made therein by the sixth respondent and consequently, to direct the sixth respondent to comply with the conditions given by the fifth respondent in his proceedings No.K/No/1231/2020/EVA2, dated 19.10.2020, based on petitioner's representation dated 18.04.2022.

2. Today, when the matter was taken up for hearing, the learned Government Pleader appearing for the respondents 1, 2, 4 & 5, on instructions, submitted that the encroachment made by the sixth respondent in the subject channel, as pointed out by the petitioner, has been removed by the authorities concerned and to that effect, he has also produced a copy of the proceedings of the Assistant Divisional Engineer, Construction and Maintenance, Highways Department, Aranthangi, dated 11.11.2022 as well as the photographs, before this Court.



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3. The learned counsel for the petitioner has not refuted the above submission of the learned Government Pleader.

4. Recording the above submission of the learned Government Pleader appearing for the respondents 1, 2, 4 & 5, the writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

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

14.11.2022

Index : Yes / No

Internet : Yes / No

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Pudukkottai.
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Office of the District Revenue Office,
Pudukkottai District.
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5.The Divisional Engineer,
Highways Department & Construction
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