



W.P.(MD) No.11030 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

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Vilanur Eri Pasanadharargal Sangam,
(Reg.No.53/2020)
Rep. by its President,
A.Yegambaram,
S/o.Avudaiyappan,1/104, Kallakottai,
Vilanur Post, Avudaiyarkoil Taluk,
Pudukkottai District.

... Petitioner

Vs.

- 1.The District Collector,
Pudukkottai District,
Pudukkottai.
- 2.The Executive Engineer,
PWD/WRD,
South Vellar Basin Division,
Pudukkottai.



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3.The Assistant Engineer,
PWD/WRD,
Irrigation Section,
South Vellar Basin Division,
Avudaiyarkovil,
Pudukkottai District.

4.The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.

5.Selvam

6.Elango

7.Kumaravel

8.Chitravel

9.Banu

10.Sakthivel

11.Karuppiah

12.Raja

13.Chellakannu

14.Manickam

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to take necessary steps to remove the encroachments made by the respondents 5 to 14 by due process of law in the Vilanur Eri in SF.No.104/1 of Veelimangalam Revenue Village and Supply Channel of Vilanur Eri situated in S.F Nos. 275, 283, 284, 285, 303, 302, 274, 311, 332, 333, 335, 336, 338, 337, 358, 359, and 360 of Eluntrimangalam Revenue Village of Avudayarkoil Taluk, Pudukkottai District by considering the petitioner's Association representation dated 01.07.2020 and 06.07.2020.

For Petitioner : Mr.K.Balasundaram

For Respondents : Mr.N.GA.Nataraj,
Government Advocate for R1 to R4
Mr.Na.Palaniyandi for R6 to R8, R10 to
R12 & R14

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to take necessary steps to remove the encroachments made by the respondents 5 to 14 by due process of law in the Vilanur Eri in SF.No.104/1 of Veelimangalam Revenue Village and Supply



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Channel of Vilanur Eri situated in S.F Nos. 275, 283, 284, 285, 303, 302, 274, 311, 332, 333, 335, 336, 338, 337, 358, 359, and 360 of Eluntrimangalam Revenue Village of Avudayarkoil Taluk, Pudukkottai District, by considering the representation of the petitioner's Association dated 01.07.2020 and 06.07.2020.

2. It is the claim of the petitioner's Association that they are doing Kudimaramathu work in the aforesaid Eri wherein, they found that the respondents 5 to 14 have encroached the aforesaid water body and its supply channel. Hence, they made representations dated 01.07.2020 and 06.07.2020 to the respondents to remove those encroachments. However, till date, no steps have been taken by the respondents to remove the said encroachment. Hence, the petitioner has filed this Writ Petition.

3. The learned Special Government Pleader appearing for the respondents 1 to 4 submitted that the representations of the petitioner's Association dated 01.07.2020 and 06.07.2020 would be considered by the official respondents and appropriate action will be taken to remove the encroachment, if any, by due



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process of law, within a time frame for which, the learned counsel for the petitioner is agreeable.

4. Recording the above submission, this Writ Petition is disposed of with a direction to the authorities concerned to consider and dispose of the representation of the petitioner's Association dated 01.07.2020 and 06.07.2020, on merits and in accordance with law. If there is any encroachment in the place in question, the authorities concerned shall remove the same, after affording sufficient opportunity to all the parties concerned and by following due process of law. Such an exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs.

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

vsm

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and
J.SATHYA NARAYANA PRASAD, J.

vsm

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