



W.P(MD)No.12247 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2022

CORAM:

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

W.P(MD)No.12247 of 2021

A.Rajendran

... Petitioner

VS.

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Sub-Collector / Revenue Divisional Officer,
Pattukottai,
Thanjavur District.
- 3.The Tahsildar,
Peravoorani Taluk,
Thanjavur,
Thanjavur District.
- 4.The Block Development Officer,
Peravoorani Taluk,
Thanjavur,
Thanjavur District.
- 5.Natarajan
- 6.Sathiyabama
- 7.Ramakrishnan
- 8.Sasikumar
- 9.Shanmugam

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10.Sivalingam
11.Sundarraaj
12.Veera Pandian

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachments made by the respondents 5 to 12 in public pond (kulam) immediately which stated in the memorandum sent by the third respondent, dated 30.10.2018 vide Na.Ka.No.3584/2018/Aa2 at Survey No.1470, Maavadukurichi East Village, Peravurani Taluk, Thanjavur District and for executing the work of revive and repair the pond.

For Petitioner	: Mr.DR.Ramesh Mahadev
For RR 1 to 3	: Mr.G.V.Vairam Santhosh Additional Government Pleader
For R – 4	: Mr.B.Saravanan
For RR 5 to 9	: Mr.V.Anand
For RR 11 & 12	: No appearance

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 4 to remove the encroachments made by the respondents 5 to 12 in a public pond (kulam) at Survey No.1470, Maavadukurichi East Village, Peravurani Taluk, Thanjavur District



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as per the communication sent by the third respondent, vide Na.Ka.No. 3584/2018/Aa2 dated 30.10.2018 to the fourth respondent and to revive and repair the said pond.

2. The learned counsel appearing for the petitioner submitted that pursuant to the survey conducted in the place in question, the extent of encroachment and names of the encroachers were identified and indicating the same, though the third respondent sent a communication in Na.Ka.No. 3584/2018/Aa2 dated 30.10.2018, to the fourth respondent to take appropriate action for removal of the aforesaid encroachment by due process of law, till date, the said communication is not acted upon. Hence, this Writ Petition.

3. The learned Additional Government Pleader appearing for the respondents 1 to 3, on instructions, submitted that the authorities concerned will act upon the aforesaid communication of the third respondent and remove the encroachments within a time frame.



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4. Recording the aforesaid submission of the learned Additional Government Pleader, this Writ Petition is disposed of directing the authorities concerned to remove the encroachment as per the aforesaid communication by the third respondent, dated 30.10.2018, after affording sufficient opportunity of hearing to all the parties concerned and by following due process of law, within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

Index : Yes / No
Internet : Yes
ps

[R.M.D.,J.] [J.S.N.P.,J.]
26.10.2022



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To

- 1.The District Collector,
Pudukottai District,
Pudukottai.
- 2.The District Revenue Officer,
Pudukottai District,
Pudukottai.
- 3.The Tahsildar,
Thirumayam Taluk,
Thirumayam,
Pudukottai District.
- 4.The Block Development Officer,
Thirumayam Panchayat Union,
Thirumayam,
Pudukottai District.



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

ps

ORDER MADE IN
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DATED : 26.10.2022