



W.P(MD)No.12654 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.12654 of 2021

A.Vins Anto

... Petitioner

VS.

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The Executive Engineer,
Kodayar Basin Division,
Water Resources Organisation,
Public Works Department,
Nagercoil.
- 3.The Assistant Engineer,
Boothapandi Irrigation Section,
Water Resources Organisation,
Public Works Department,
Boothapandi & Post,
Kanyakumari District.
- 4.The Tahsildar,
Agastheeswaram Taluk,
Collectorate Campus,
Nagercoil.



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5.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

6.M.Sargunam

7.Meenakshi

8.A.Antony

9.Selvanayagam

10.J.Santhosh

11.The President,
Putheri Paaraiyadi Saambava Samudhayam,
Putheri Post,
Kanyakumari District.

12.Poomani

13.Sukumaran

14.Swamidoss

... 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 5 to remove the encroachments made by the respondents 6 to 14 in Maadiyankulam comprised in R.S.No.362 of Putheri Village, Agastheeswaram Taluk, Kanyakumari District pursuant to Form-III notice issued by the third respondent under Tamil Nadu Protection of Tanks and Eviction of Encroachment Rules, 2007.



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For Petitioner	: Mr.C.T.Perumal
For RR 1 to 4	: Mr.P.Thilak Kumar Government Pleader
For R – 5	: Mr.T.Senthil Kumar Additional Public Prosecutor
For R – 6	: Mr.I.Jayasingh Manoharan
For R – 10	: Mr.C.M.Arumugam
For RR 7 to 9 & 11 to 14	: 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 5 to remove the encroachments made by the respondents 6 to 14 in Maadiyankulam comprised in R.S.No.362 of Putheri Village, Agastheeswaram Taluk, Kanyakumari District pursuant to Form-III notice issued by the third respondent under Tamil Nadu Protection of Tanks and Eviction of Encroachment Rules, 2007.



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2. Today, when the matter was taken up for hearing, the learned Government Pleader appearing for the respondents 1 to 4, on instructions, submitted that removal of encroachment has been done partially and the remaining encroachments will be removed by due process of law within a time frame.

3. In view of the above submission of the learned Government Pleader, the authority concerned is directed to remove the encroachments in the place in question completely, after affording sufficient opportunity 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.

4. With the above direction, the Writ Petition is disposed of. No costs.

Index : Yes / No
Internet : Yes
ps

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



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ps

ORDER MADE IN
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