



W.P.(MD) No.13038 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.13038 of 2022

R.Rajadurai

... Petitioner

-VS-

1.The District Collector
Kanyakumari District

2.The Sub Collector
Padmanabhapuram
Kanyakumari District

3.The Executive Engineer
Water Resource Organization
Nagercoil, Kanyakumari District

4.The Assistant Executive Engineer
Water Resource Department (Addl. Charge)
Kothaiaru river Sub Basin
Thuckalay
Kanyakumari District

5.The Tahsildar
Kalkulam
Thuckalay
Kanniyakumari District

... 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 herein to forthwith construct safety river bund in the Valliyaru River touching the eastern boundary of S.No. 560/9 & 10 and remove the said harmful encroachments.

For Petitioner : Mr.H.Thayumanaswamy

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 to R5

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 construct safety river bund in the Valliyaru River touching the eastern boundary of S.No.560/9 & 10 and remove the harmful encroachments made therein.

2. Today, when the matter was taken up for hearing, the learned Government Pleader appearing for the respondents, on instructions, submitted that subsequent to the filing of this writ petition, the authorities concerned have taken necessary steps for removal of the encroachments made



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in the subject land and marked the encroachments and the entire process would be completed within a period of twelve weeks.

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

4. Recording the above submission, the authority concerned is directed to remove the encroachments, as pointed out by the petitioner, after giving due notice and sufficient opportunity to all the parties concerned and by following due process of law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

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

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Index : Yes / No
Internet : Yes / No

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