



W.P.(MD) No.14025 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.14025 of 2020

and

W.M.P.(MD)Nos.11681 and 11682 of 2020

R.Ramanathan

... Petitioner

-Vs-

- 1.The District Collector,
Thoothukudi, Thoothukudi District.
- 2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Thoothukudi District.
- 3.The Tahsildar,
Ottapidaram Taluk, Thoothukudi District.

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4. Superintending Engineer,

PWD, WRO, Thambaraparani Basin Circle,
Tirunelveli.

5. The Executive Engineer,

Public Works Department / Water Resource Department,
Korampallamaru Basin Division, Thoothukudi.

6. M/s. Cape Infrastructure Private Limited,

No.560562-4D, 4th Floor,
Century Park, Teynampet,
Chennai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Letter No.KO.103/2020, dated 03.10.2020 on the file of the 5th respondent and quash the same as illegal and consequently, for a direction, directing the respondents 1 to 5 to remove the encroachments made by the 6th respondent in Survey Nos.119 and 120 in Kombadi Odai, Savimangalam Village, Ottapidaram Taluk, Tuticorin District and restore the water channel back to its original course within the time frame stipulated by this Court.



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For Petitioner : Mr.T.Lajapathi Roy
For R1 to R5 : Mr.P.Thilak Kumar,
Government Pleader
For R6 : No Appearance

ORDER

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

Challenging the order of the 5th respondent dated 03.10.2020 in Letter No.KO.103/2020, this Writ Petition is filed with a consequential direction to the respondents 1 to 5 to remove the encroachments made by the 6th respondent in Survey Nos.119 and 120 in Kombadi Odai, Savimangalam Village, Ottapidaram Taluk, Tuticorin District and restore the water channel back to its original course within a time frame.

2.Today, when the matter was taken up for hearing, the learned Government Pleader for the respondents 1 to 5, on instructions, submitted that the encroachment made by the 6th respondent has already been removed by the authorities concerned by following due process of law.

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3.The aforesaid submission has not been refuted by the learned counsel for the petitioner.

4.Recording the aforesaid submission, this Writ Petition stands closed, with a direction to the authorities concerned to ensure that the water channel in the aforesaid survey numbers is free from encroachments, by making periodical inspection and that there is free flow of water therein. No costs. Consequently, connected miscellaneous petitions are also closed.

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

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Index : Yes / No

Internet : Yes / No

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