



W.P.(MD)No.14994 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.11.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

and

THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P.(MD)No.14994 of 2022

N.Meena

... Petitioner

Vs.

- 1.The District Collector,
Pudukottai District, Pudukottai.
- 2.The Tahsildar,
Tahsildar Office, Illupur,
Pudukottai District.
- 3.The Block Development Officer,
Annavaasal Panchayat Union Office,
Annavaasal, Pudukottai District.
- 4.The Superintending Engineer,
Tamilnadu Generation and Distribution Corporation,
Pudukottai.
- 5.The Assistant Engineer,
Tamilnadu Generation and Distribution Corporation,
Viralimalai, Pudukottai.
- 6.N.Rengakonar
- 7.N.Palaniandikonar

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachments which is situated in S.F.No.230 of Thirunallar Village, Ilupur Taluk, Pudukottai District and consequently directing the respondents 4 and 5 to disconnect the electricity connection of well situated in Pappankulam Tank in Thirunallar Village dug by the respondents 6 and 7 by considering the petitioner's representation dated 21.06.2022.

For Petitioner : Mr.S.Krishnan

For Respondents : Mr.S.P.Maharajan
Additional Government Pleader
for R1 to R3
Mr.S.Deenadhayalan
Standing Counsel for R4 and R5
Mr.D.R.Murugesan for R6 and R7

ORDER

(Order of the Court was made by **R.MAHADEVAN, J.**)

The petitioner has come forward with this writ petition praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachments in S.F.No.230 of Thirunallar Village, Ilupur Taluk, Pudukottai District and consequently, directing the respondents 4 and 5 to disconnect the electricity connection of a well situated in Pappankulam Tank in Thirunallar Village, dug by the respondents 6 and 7, by considering his representation dated 21.06.2022.



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2. Heard Mr.S.Krishnan, learned counsel for the petitioner; Mr.S.P.Maharajan, learned Additional Government Pleader appearing for the respondents 1 to 3; Mr.S.Deenadhayan, learned Standing Counsel appearing for the respondents 4 and 5 and Mr.D.R.Murugesan, learned counsel for the respondents 6 and 7.

3. Pointing out that the respondents 6 and 7 have encroached a portion of water catchment area in S.F.No.230 of Thirunallar Village, Ilupur Taluk, Pudukottai District, by digging a well and thereby trying to convert the character of the said waterbody into agricultural land, the petitioner submitted a representation dated 21.06.2022, to the official respondents and the same, according to learned counsel for the petitioner, is unattended. Learned counsel for the petitioner would further submit that the petitioner would be satisfied if a direction is issued to the respondents 1 to 3, to consider the representation of the petitioner dated 21.06.2022, in accordance with law.

4. Considering the limited scope of the prayer now sought for by the petitioner, without expressing any opinion on the claim made by the petitioner, this Writ Petition is disposed of with a direction to the respondents 1 to 3, to



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consider the representation of the petitioner dated 21.06.2022, if not considered earlier and if there is any encroachment as claimed by the petitioner, appropriate action shall be taken for removal of the same, after affording sufficient opportunity to the petitioner, respondents 6 and 7 and all the parties concerned and also by due process of law within a period of eight weeks from the date of receipt of a copy of this order. No costs.

[R.M.D., J.] [J.S.N.P., J.]
15.11.2022

Internet : Yes / No
Index : Yes / No
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