



W.P.(MD) No.16765 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.16765 of 2020

C.Ganesan

... Petitioner

-Vs-

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Ponnamaravathy Taluk,
Pudukkottai District.

3.The Executive Officer,
Town Panchayat,
Ponnamaravathy, Pudukkottai District.

Page 1 of 6



W.P.(MD) No.16765 of 2020

WEB COPY

4.K.A.Chandran

5.K.A.Krishnan

6.K.A.Prabakaran

7.S.Natarajan

8.R.Selva

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 3 to survey the Chinna Amarakandan Tank, situated in T.S.No.830 (Old S.No.638) in Ponnamaravathi Village, Pudukkottai District and to remove the encroachments therein made by the respondents 4 to 8 and others.

For Petitioner : Mr.R.Suriyanarayanan

For R1 to R3 : Mr.S.P.Maharajan,
Special Government Pleader

For R4, R7 & R8 : No Appearance

For R5 and R6 : Mr.RMS.Sethuraman

ORDER

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

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to survey the Chinna Amarakandan Tank,

Page 2 of 6



W.P.(MD) No.16765 of 2020

WEB CUM

situated in T.S.No.830 (Old S.No.638) in Ponnamaravathi Village, Pudukkottai District and to remove the encroachments therein made by the respondents 4 to 8 and others.

2.Today, when the matter was taken up for hearing, the learned Special Government Pleader for the respondents 1 to 3 has produced the proceedings of the 3rd respondent dated 21.10.2022 in Na.Ka.No.A2/802/2020, addressed to the Revenue Tahsildar, Ponnamaravathy and submitted that the authorities are going to conduct a survey of the water body in question, so as to ascertain whether there is any encroachment as projected by the petitioner. He further submitted that if the survey reveals any encroachment in the place in question, the same would be removed by the authorities concerned, after affording sufficient opportunity to all the parties concerned and by following due process of law, within a time frame.

3.In view of the above, without going into the merits of the case, this Court directs the authorities concerned to conduct a survey of the water body in

Page 3 of 6



W.P.(MD) No.16765 of 2020

WEB COPY

question, in the presence of the petitioner as well as any other interested parties, after serving notice to them well in advance and if the survey reveals any encroachment in the water body, the same shall be removed by the authorities concerned, after affording sufficient opportunity to all the parties concerned and by following due process of law. Such an exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.

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

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

11.11.2022

Index : Yes / No

Internet : Yes / No

Myr

To

1. The District Collector,

Pudukkottai District,

Pudukkottai.

Page 4 of 6



W.P.(MD) No.16765 of 2020

WEB COPY

2.The Tahsildar,
Ponnamaravathy Taluk,
Pudukkottai District.

3.The Executive Officer,
Town Panchayat,
Ponnamaravathy, Pudukkottai District.



WEB COPY



W.P.(MD) No.16765 of 2020

R.MAHADEVAN, J.

AND

J.SATHYA NARAYANA PRASAD, J.

Myr

W.P.(MD)No.16765 of 2020

11.11.2022

Page 6 of 6