



W.P.(MD) No.18696 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.18696 of 2020
and W.M.P.(MD)No.15632 of 2020

K.Thilipkumar

... Petitioner

Vs.

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Tahsildar,
Kumbakonam Taluk,
Thanjavur District.
- 3.The Executive Officer,
Cholapuram Town Panchayat,
Kumbakonam Taluk, Thanjavur District.
- 4.The Assistant Executive Engineer,
Public Works Department,
Kumbakonam, Thanjavur District.



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5.The Assistant Commissioner,
Hindu Religious and Charitable Endowment
Department,
Ayikulam Road, Kumbakonam Taluk,
Thanjavur District.

6.The Executive Officer (Incharge),
Arulmigu Kailasanathar Temple,
Mariamman Kovil Street,
Cholapuram,
Office at Sundareshwarar Temple,
Koranattu Karuppur,
Kumbakonam Taluk,
Thanjavur District.

7.The Assistant Executive Engineer,
Operation and Maintenance,
Tamil Nadu Generation and Distribution
Corporation Limited, (TANGEDCO),
Cholapuram,
Kumbakonam Taluk,
Thanjavur District.

8.Paneerselvam

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent Nos.1 to 4 to remove the encroachment made by the 8th respondent on water body in S.F.No. 234/2 at Cholapuram Village, Kumbakonam Taluk, Thanjavur District and maintain the water body free from any encroachment based on the petitioner's representation dated 26.11.2020.



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For Petitioner : Mr.AN.Ramanathan
For Respondents : Mr.P.Thilak Kumar,
Govt. Pleader for R1 to R6 & R7
Mr.P.Subbaraj,
Spl. Govt. Pleader for R5
Mr.M.Karunanithi for R8

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 respondent Nos.1 to 4 to remove the encroachment made by the 8th respondent on the water body in S.F.No. 234/2 at Cholapuram Village, Kumbakonam Taluk, Thanjavur District and maintain the same from any encroachment, based on the petitioner's representation dated 26.11.2020.

2. Today, when the matter was taken up for hearing, the learned Government Pleader appearing for the respondents 1 to 6 & 7, relying upon the counter affidavit filed by the fifth respondent dated 01.04.2021, submitted that



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there are some encroachments in the place in question by the 8th respondent and the same would be removed by the authorities concerned within a time frame, by due process of law, for which, the learned counsel for the petitioner is agreeable.

3. Recording the same, this Writ Petition is disposed of with a direction to the authorities concerned to remove the encroachment in the place in question, 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 twelve (12) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

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

vsm

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- 4.The Assistant Executive Engineer,
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Kumbakonam, Thanjavur District.
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Department,
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vsm

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