



W.P.(MD)No.19461 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.(MD)No.19461 of 2022

M.S.Sundaraj

....Petitioner

Vs.

1.The District Collector
Theni District.

2.The Assistant Director,
Personal Assistant to the District Collector,
Theni District.

3.The Revenue Divisional Officer,
Thamaraikulam Post,
Periyakulam Taluk,
Theni District

4.The Block Development Officer,
Theni Panchayat Union,
Theni District.

5. Annakodi

....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 4



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to remove the encroachment by the fifth respondent in S.F.No.226, Oojampatty Village, Theni Taluk and District.

For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mr.SRA.Ramachandran, - for R1 to R4
Additional Government Pleader

ORDER

[Order of the Court was made by **P.N.PRAKASH, J.**]

Alleging that the fifth respondent has made encroachments in the water-body in S.F.No.226, Oojampatty Village, Theni Taluk and District, this Public Interest Litigation has been filed for a direction to the respondents to remove the same.

2. Heard Mr.P.Ganapathi Subramanian, learned counsel appearing for the petitioner and Mr.SRA.Ramachandran, learned Additional Government Pleader appearing for respondents 1 to 4.

3. Today Mrs.V.Pandiammal, Panchayat President, Oojampatty Panchayat, is present before this Court.



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4. On instructions, Mr.SRA.Ramachandran, learned Additional Government Pleader submitted that on the petition given by the petitioner, the Revenue Officials went to inspect the spot yesterday i.e., on 24.05.2022, but on account of heavy rains, they were not able to conduct the survey.

5. Recording the same, we direct the fourth respondent, the Block Development Officer, Theni Panchayat Union and the Revenue Officials concerned to survey the place and if any encroachments are made in the entire area, it is needless to state that, steps have to be taken for removing the same in accordance with law.

6. With the above directions, this writ petition stands disposed of. There shall be no order as to costs.

[P.N.P.,J.] & [R.H.,J.]
25.08.2022

Index : Yes/No
Internet : Yes/No
RM



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To

WEB COPY

- 1.The District Collector
Theni District.
- 2.The Assistant Director,
Personal Assistant to the District Collector,
Theni District.
- 3.The Revenue Divisional Officer,
Thamaraikulam Post,
Periyakulam Taluk,
Theni District
- 4.The Block Development Officer,
Theni Panchayat Union,
Theni District.

Copy to :

- 5.The Tahsildar,
Theni District.



WEB COPY



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P.N.PRAKASH, J.

and

R.HEMALATHA, J.

RM

ORDER MADE IN

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25.08.2022