



W.P.(MD)No.21370 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.09.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**
and
THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P(MD)No.21370 of 2022

S.Murugesan

... Petitioner

Vs.

- 1.The District Collector,
Collectorate Office,
Tiruchirappalli District – 620 001.
- 2.The Tahsildar,
Thiruverumbur Taluk,
Thiruverumbur Tahsildar Office,
Tiruchirappalli District – 620 013.
- 3.The Panchayat Council President,
Guntur Panchayat,
Tiruchirappalli District – 620 007.
- 4.The Block Development Officer,
Thiruverumbur Taluk,
Tiruchirappalli District – 620 013.
- 5.Chilambayee
- 6.Ganesan
- 7.Senthilkumar
- 8.Manivel
- 9.Palanichamy



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10.Vijayakumar
11.Dakshinamurthy
12.Savaryammal
13.Rajeshwari
14.Shanmugam
15.Chokkalingam

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to direct the Respondents 1 and 2 to remove the encroachments made by the encroachers on irrigation canal situated in Survey No.405/8 and 407/1, Thiruvallarchipatti, Tiruchirappalli District, within the time frame fixed by this Hon'ble Court and restore the same for storage of water.

For Petitioner : Mr.K.Ramesh

For Respondents : Mr.P.Thilak Kumar
Government Pleader for R1 & R2
Mr.V.Nirmal Kumar
Government Advocate for R3 & R4

* * *

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 and 2, to remove the encroachments made by the encroachers on irrigation canal situated in Survey Nos.405/8 and 407/1, Thiruvallarchipatti, Tiruchirappalli District, within a time frame and restore the same for storage of water.



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2. Heard Mr.K.Ramesh, learned counsel for the petitioner; Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 and 2 and Mr.V.Nirmal Kumar, learned Government Advocate appearing for respondents 3 and 4. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Claiming that the irrigation canal situated in Survey Nos.405/8 and 407/1 at Thiruvalarchipatti in Tiruchirappalli District, is encroached by the respondents 5 to 15, the petitioner submitted a representation to the official respondents on 28.07.2021, followed by another representation on 06.06.2022 and the same, according to learned counsel for the petitioner, are unattended. Learned counsel for the petitioner would further submit that the petitioner would be satisfied if a direction is issued to the respondents 1 and 2, to consider the representations of the petitioner dated 28.07.2021 and 06.06.2022, in accordance with law.

4. Considering the limited scope of the prayer now sought for by the petitioner, without expressing any opinion on the merits of claim made by the petitioner either in the representations or in the affidavit filed in support of this



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Writ Petition, this Writ Petition is disposed of with a direction to the respondents 1 and 2, to consider the representations of the petitioner dated 28.07.2021 and 06.06.2022, if not considered earlier, and if there is any encroachment as claimed by the petitioner, necessary action has be taken by the authorities in accordance with law for removing the encroachment. Such exercise shall be completed 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.]
08.09.2022

Internet : Yes / No
Index : Yes / No
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To

- 1.The District Collector,
Collectorate Office,
Tiruchirappalli District – 620 001.
- 2.The Tahsildar,
Thiruverumbur Taluk,
Thiruverumbur Tahsildar Office,
Tiruchirappalli District – 620 013.
- 3.The Panchayat Council President,
Guntur Panchayat,
Tiruchirappalli District – 620 007.



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4. The Block Development Officer,
Thiruverumbur Taluk,
Tiruchirappalli District – 620 013.



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