



W.P.(MD)No.19874 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :22.07.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**
and
THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.19874 of 2021

Sornalingam

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3.The Tahsildhar,
Devakottai Taluk,
Sivagangai District.

4.Srinivasan
5.Karuthasamy

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encroachments made in Sy.Nos.432/2, 433/1, 433/2, 431/3, 52/1 of Mangalam Village, Vengalur Panchayat, Devakottai Taluk, Sivagangai District by considering the petitioner's representation dated 29.01.2021 and 06.09.2021.



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For Petitioner : Mr.R.Balakrishnan
For R-1 to R-3 : Mr.J.Ashok,
Additional Government Pleader
For R-4 & R-5 : Mr.S.Saravanakumar

ORDER

(Order of the Court was made by **S.S.SUNDAR, J.**)

This writ petition is filed for issuance of a Writ of Mandamus, directing the respondents to remove the encroachments made in Survey Nos.432/2, 433/1, 433/2, 431/3, 52/1 of Mangalam Village, Vengalur Panchayat, Devakottai Taluk, Sivagangai District by considering the petitioner's representation, dated 29.01.2021 and 06.09.2021.

2. Heard Mr.R.Balakrishnan, learned counsel for the petitioner, Mr.J.Ashok, learned Additional Government Pleader for respondents 1 to 3 and Mr.S.Saravanakumar, learned counsel for respondents 4 and 5.



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3. The petitioner's grievance is that the private respondents 4 and 5, have encroached the water course thereby preventing the water from flowing into the water body known as "Akilaanda Oorani".

4. The learned Additional Government Pleader appearing for the respondents 1 to 3, on instructions, submitted that the encroachment is identified after making local inspection in the presence of encroachers and that notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, has also been issued by the official respondents.

5. Since the property in which the encroachment is reported is a Government poramboke, the third respondent shall pass final orders in this matter, after considering the explanations or representations of the encroachers, particularly, respondents 4 and 5. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.



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With the above direction, the writ petition is disposed of.

No Costs.

[S.S.S.R., J.] [S.S.Y., J.]
22.07.2022

Index : Yes / No

pm

To

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and
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