



W.P(MD) No.20172 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2022

CORAM:

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

W.P.(MD) No.20172 of 2021

D.Murugan

... Petitioner

-VS-

1. The District Collector,
Thoothukudi District, Thoothukudi.

2. The Revenue Divisional Officer,
Kovilpatti, Thoothukudi District.

3. The Tashildar,
Kayathar, Thoothukudi District.

4. The Block Development Officer,
Kayathar Panchayat Union Office,
Kayathar, Thoothukudi District.

5. Southern Manavari (Rain-Fed
Lands) Agriculturists Association,
North Ilanthaikulam Village, Kayathar
Taluk, Thoothukudi District
(R5 is *Suo Motu* impleaded
vide Court Order dated 01.12.2021
in WP(MD) No.20172 of 2021)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India,
to issue a writ of Mandamus, directing the respondents 1 to 4 to take



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steps to remove the alleged encroachment in the water channel made by the unknown private individuals in survey Nos.276, 277, 279, 280, 281, 282, 283, 285/15, 286/2, 288, 289/2, 289/5, 290/5, 291, 292, 293, 294, 298, 299/15, 305, 307, 311, 317/4, 318, 322/5, 323, 330, 331/1, 332 and 333, North Ilanthaikulam Village, Kayathar Taluk, Thoothukudi District and also direct them to restore the water channel to its original shape, size and capacity according to law by considering the petitioner's representation dated 14.05.2021, within a stipulated time.

For Petitioner : Mr.S.Saravanan

For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader
for R1 to R4
Mr.D.Sivaraman for R5

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 1 to 4 to take steps to remove the alleged encroachment in the water channel made by the unknown private individuals in survey Nos.276, 277, 279, 280, 281, 282, 283, 285/15, 286/2, 288, 289/2, 289/5, 290/5, 291, 292, 293, 294, 298, 299/15, 305, 307, 311, 317/4, 318, 322/5, 323, 330, 331/1, 332 and 333, North Ilanthaikulam Village, Kayathar Taluk, Thoothukudi District and also to restore the water channel to its original shape, size and capacity, by



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considering the petitioner's representation dated 14.05.2021, within a time frame.

2. Today, when the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents 1 to 4, produced a communication of the Tahsildar, Kayathar, dated 22.11.2022, addressed to him and submitted that the authorities concerned have conducted survey in the aforesaid water channel and removed the encroachments therein on 03.10.2022 and 08.10.2022, itself. The said submission has not been stoutly refuted by the learned counsel for the petitioner.

3. Recording the above submission and communication dated 22.11.2022, this Writ Petition is disposed of leaving it open to the petitioner to approach the authorities concerned, to redress his grievance, if any. No costs.

[R.M.D., J.] [J.S.N.P., J.]
24.11.2022

Index : Yes / No
Internet : Yes / No
pkn



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To:

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