



W.P.(MD) No.15229 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.15229 of 2018

P.Nagarajan

... Petitioner

Vs.

1.The District Collector,
Madurai,
Madurai District.

2.The Revenue Divisional Officer,
Melur Revenue Division,
Melur,
Madurai District.

3.The Thashildar,
Melur,
Madurai District.

4.Indiran

5.Jayamurugan

... Respondents

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PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1 to 3 respondents to remove the encroachment made by the 4 and 5th respondent and some other persons in Mottamalai forest's rivulet (oodai) and Alagapuri pond (Kanmai) and related water sources as Urani, situated in sr.No.429, 433, 434, 435, 437/1 and 438 at Sekipatti Village, Gidaripatti, Melur Taluk in Madurai District.

For Petitioner : Mr.M.M.Manivel Pandian
For Respondents : Mr.S.P.Maharajan
Spl. Govt. Pleader for R1 to R3
No appearance for R4 & 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 3 to remove the encroachment made by the 4th and 5th respondents and some other persons in Mottamalai forest's rivulet (oodai) and Alagapuri pond (Kanmai) and related water sources, situated in S.Nos.429, 433, 434, 435, 437/1 and 438 at Sekipatti Village, Gidaripatti, Melur Taluk in Madurai District.



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2. The learned counsel for the petitioner submitted that though the petitioner made a representation on 06.01.2018 and reminder on 23.02.2018 to the third respondent seeking to remove the aforesaid encroachment, till date no steps have been taken by the respondents to remove the same. Hence, the petitioner has filed this Writ Petition.

3. The learned Special Government Pleader appearing for the respondents 1 to 3, on instructions, submitted that the representation of the petitioner dated 06.01.2018 would be considered and appropriate action will be taken, for which the learned counsel for the petitioner is agreeable.

4. Recording the above submission, this Writ Petition is disposed of with a direction to the official respondents to consider the representation of the petitioner dated 06.01.2018 on merits and in accordance with law, if not considered earlier and if there is any encroachments, the authorities concerned shall remove the same after affording sufficient opportunity of hearing to all the parties concerned and by following due process of law. Such an exercise shall



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be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs.

vsm

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

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