



W.P.(MD)No.24174 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

and

THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P(MD)No.24174 of 2022

Rajagopal

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai – 630 561.
- 2.The Revenue Divisional Officer,
Devakottai Revenue Division,
Devakottai,
Sivagangai District.
- 3.The Tahsildar,
Singampunari Taluk Office,
Singampunari Taluk,
Sivagangai District – 630 502.
- 4.The Block Development Officer,
S. Pudur Panchayat Union,
S. Pudur, Singampunari Taluk,
Sivagangai District – 630 410.
- 5.Amburose
- 6.Alagusundaram
- 7.Rajathi



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8.Perumal

9.Ganesan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to direct the 1 to 4 respondents to remove the encroachment made by the 5 to 9 Respondents in S.F.No.108 namely Periya Kanmai classified as water body and water Channels in S.F.No.79/1, 115/1, 128/7 and 130/1 situated at Warappur Village, Singampunari Taluk, Sivagangai District on the basis of petitioner's representation dated 25.02.2022 and 09.05.2022 within time frame fixed by this Hon'ble Court.

For Petitioner	: Mr.K.Arunraj
For Respondents 1 to 3	: Mr.V.Nirmal Kumar Government Advocate
For 4 th Respondent	: Mr.S.P.Maharajan Special Government Pleader

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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 to 4 to remove the encroachment made by the respondents 5 to 9 in



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S.F.No.108, namely, Periya Kanmai, classified as water body and water Channels in S.F.Nos.79/1, 115/1, 128/7 and 130/1 situated at Warappur Village, Singampunari Taluk, Sivagangai District on the basis of his representations dated 25.02.2022 and 09.05.2022 within a time frame.

2. Heard Mr.K.Arunraj, learned counsel for the petitioner, Mr.V.Nirmal Kumar, learned Government Advocate, who accepts notice on behalf of the respondents 1 to 3 and Mr.S.P.Maharajan, learned Special Government Pleader, who accepts notice on behalf of the fourth respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the respondents 5 to 9 is dispensed with.

4. Pointing out that respondents 5 to 9 have made encroachment in the water body in S.F.No.108 and water channels in S.F.Nos.79/1, 115/1, 128/7 and 130/1 situated at Warappur



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Village, Singampunari Taluk, Sivagangai District, the petitioner submitted a representation to the official respondents on 25.02.2022 and 09.05.2022 and the same, according to the learned counsel for the petitioner, remains as such. Hence, the writ petition.

5. Today, when the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 3, on instructions, submitted that pursuant to the representations of the petitioner, the authorities are taking steps to remove the encroachments and the same will be removed within a period of eight weeks.

6. Recording the said submission of the learned Government Advocate appearing for the respondents 1 to 3, this Writ Petition is disposed of with a direction to the respondents 3 and 4 to take necessary action for removal of the encroachment in the water body in S.F.No.108 and the water channels in S.F.Nos. 79/1, 115/1, 128/7 and 130/1 situated at Warappur Village, Singampunari Taluk, Sivagangai District, after affording an opportunity of hearing to the petitioner, respondents 5 to 9 and all other parties concerned and by following due process of law. Such



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an 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.]
20.10.2022

Internet : Yes/No
Index : Yes / No
sj

To

- 1.The District Collector,
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Sivagangai – 630 561.
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Devakottai,
Sivagangai District.
- 3.The Tahsildar,
Singampunari Taluk Office,
Singampunari Taluk,
Sivagangai District – 630 502.
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sj

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