



W.P.(MD) No.24216 of 2022

WEB COPY 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.24216 of 2022

Kondalvannan

... Petitioner

-VS-

- 1.The District Collector
O/o.District Collector
Madurai-625 020
- 2.The District Revenue Officer
O/o.District Revenue Officer
Madurai District
- 3.The Revenue Divisional Officer
O/o.Revenue Divisional Officer
Usilampatti, Madurai District
- 4.The Tahsildar
Peraiyur Taluk Office
Madurai District
- 5.The Superintending Engineer
Water Resources Department
Public Works Department Office Campus
Vaippar Basin Circle
Virudhunagar District



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6.The Executive Engineer
Water Resource Department
Public Works Department
Gundar Basin Division
Thallakulam
Madurai-625 002

7.The Assistant Executive Engineer
Water Resource Department
Gundar Basin, Peraiyur Sub Division
Usilampatti Revenue Divisional Office Campus
Usilampatti
Madurai District

8.The Assistant Engineer / Junior Engineer
Water Resource Department
Gundar Basin, Peraiyur Sub Division
Usilampatti Revenue Divisional Office Campus
Usilampatti
Madurai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to remove all the encroachments put upon the water supply channel namely Eruthukombur starts from the Vittalpatti Village Survey No.161 and flows through the Survey Nos.160, 159, 207, 209, 214, 213, 212, 324, 326, 327, 219, 318 and Kudipatti Village Survey Nos.210, 209, 204, 202, 200, 171, 172, 169/9 to the Vandapuli Periyakulam Kanmai Survey No.164 and 179, Peraiyur Taluk, Madurai District and preserve the same in the original position based on the



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petitioner's representation dated 18.05.2022 in the light of the proceedings of the sixth respondent in Ka.No.332mVP/EVA1Ko.6(U)/2021, dated 28.12.2021, within a time stipulated by this Court.

For Petitioner : Mr.R.Karunanidhi

For Respondents : Mr.P.Thilakkumar
Government Pleader

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

Mr.P.Thilakkumar, learned Government Pleader, takes notice for the respondents.

2. With the consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3. The prayer in the writ petition is for issuance of a writ of mandamus directing the respondents to remove the encroachments made in Eruthukombur channel, which starts from Vittalpatti Village Survey No.161 and runs through Survey Nos.160, 159, 207, 209, 214, 213, 212, 324, 326, 327, 219, 318 and Kudipatti Village Survey Nos.210, 209, 204, 202, 200, 171,



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172, 169/9 to the Vandapuli Periyakulam Kanmai Survey Nos.164 and 179, Peraiyur Taluk, Madurai District and preserve the same in its original position based on the petitioner's representation dated 18.05.2022 and in the light of the proceedings of the sixth respondent in Ka.No.332mVP/EVA1Ko. 6(U)/2021, dated 28.12.2021, within a time stipulated by this Court.

4. It is the grievance of the petitioner that despite the aforesaid communication of the sixth respondent, dated 28.12.2021, addressed to him, stating that after surveying the water supply canals of Vandipuli Kanmoi, steps will be taken to remove the encroachments therein, till date, the said communication is not acted upon. Hence, this writ petition.

5. The learned Government Pleader appearing for the respondents, on instructions, submitted that steps are being taken to remove the encroachments as projected by the petitioner and the same would be removed, after giving sufficient opportunity to all the parties concerned, within a period of twelve weeks.

6. Recording the above submission of the learned Government Pleader and directing the authorities concerned to remove the encroachments



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as projected by the petitioner within a period of twelve (12) weeks from the date of receipt of a copy of this order, after giving sufficient opportunity to all the parties concerned and by following due process of law, the writ petition is disposed of. No costs.

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

20.10.2022

Index : Yes / No

Internet : Yes / No

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To:

- 1.The District Collector,
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Madurai-625 020.
- 2.The District Revenue Officer,
O/o.District Collector,
Madurai District.
- 3.The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Usilampatti, Madurai District.
- 4.The Tahsildar,
Peraiyur Taluk Office,
Madurai District.
- 5.The Superintending Engineer,
Water Resources Department,
Public Works Department Office Campus,
Vaippar Basin Circle, Virudhunagar District.



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Public Works Department,
Gundar Basin Division,
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- 7.The Assistant Executive Engineer,
Water Resource Department,
Gundar Basin, Peraiyur Sub Division,
Usilampatti Revenue Divisional Office Campus,
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