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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2022

CORAM:

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

W.P.(MD) No.23243 of 2018

P.Sivaguru ... Petitioner

-vs-

1. The District Collector,
Tirunelveli District, Tirunelveli.

2. The Revenue Divisional Officer,
Tirunelveli District, Tirunelveli.

3. The Tahsildar,
Radhapuram Taluk, Tirunelveli District.

4. Bala Sonia ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to remove the encroachment in the water stream which starts from Alamkinaru, Thirumalapuram to Nedunkulam, situated at Soundirapandiapuram, Radhapuram Taluk, Tirunelveli District.

For Petitioner : Mr.T.Selvakumaran

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For Respondents : Mr.G.V.Vairam Santhosh,
Addl.Government Pleader
for R1 to R3
Mr.K.Sudlaiyandi for R4

O R D E R

(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 to remove the encroachment in the water stream which starts from Alamkinaru, Thirumalapuram to Nedunkulam, situated at Soundirapandiapuram, Radhapuram Taluk, Tirunelveli District.

2. Today, when the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents 1 to 3, produced a communication of the Revenue Divisional Officer, Radhapuram Taluk, in Na.Ka.No.A8/7561/2022, dated 21.09.2022, along with sketch and extracts of relevant revenue records, addressed to him and submitted that that the property in question is nothing but a private property and that there is no encroachment as alleged by the petitioner. The said submission has not been stoutly refuted by the learned counsel for the petitioner.

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3. Recording the above submission of the learned Government Advocate, this Writ Petition is closed 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.]
18.10.2022

Index : Yes / No
Internet : Yes / No
pkn

To:

1. The District Collector,
Tirunelveli District, Tirunelveli.

2. The Revenue Divisional Officer,
Tirunelveli District, Tirunelveli.

3. The Tahsildar,
Radhapuram Taluk, Tirunelveli District.

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R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

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