



W.P.(MD) No.23785 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.23785 of 2018

A.Bosco

... Petitioner

-Vs-

- 1.The District Collector,
Dindigul District, Dindigul.
- 2.The Revenue Divisional Officer,
Palani, Dindigul District.
- 3.The Tahsildar,
Vedasandur Taluk,
Dindigul District.
- 4.The Block Development Officer,
Vedasandur Panchayat Union,
Vedasandur, Dindigul District.

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5.Ramasamy

6.Balasubramanian

... 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 remove all the encroachments made by the respondents 5 and 6 in Chinnapparkulam Tank and its supply channel from Tank Area to Varattaru River situated at Malbarpatti Panchayat, Vendasandur Taluk, Dindigul District by considering the Petitioner's representation dated 03.10.2018, within the time limit as fixed by this Court.

For Petitioner : Mr.J.Lawrance

For R1 to R3 : Mr.P.Thilak Kumar
Government Pleader

For R4 : Mr.M.Jeyakumar

For R5 : Ms.A.Arul Jenifer

ORDER

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

This Writ Petition has been filed, seeking a direction to the respondents 1 to 4 to remove all the encroachments made by the respondents 5 and 6 in Chinnapparkulam Tank and its supply channel from the Tank Area to

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Varattaru River situated at Malbarpatti Panchayat, Veda sandur Taluk, Dindigul District, by considering the Petitioner's representation dated 03.10.2018.

2.The learned Government Pleader for the respondents 1 to 3 submitted that subsequent to filing of this Writ Petition, a survey was conducted and it was found that nearly there are 15 encroachers on the said water body and they will be removed by following due process of law.

3.On the other hand, the learned counsel for the 5th respondent submitted that the petitioner is also an encroacher over the area in question and his case has not been taken into consideration by the authorities.

4.Recording the submission made by the learned Government Pleader, this Writ Petition stands disposed of, directing the authorities to remove the encroachment made either by the petitioner or by any of the third parties, after giving sufficient opportunity of hearing to all the parties concerned, so as to produce required documents and by following due process of law. Such an



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exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

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

11.10.2022

Index : Yes / No

Internet : Yes / No

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To:

1.The District Collector,
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2.The Revenue Divisional Officer,
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3.The Tahsildar,
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4.The Block Development Officer,
Vedasandur Panchayat Union,
Vedasandur,
Dindigul District.



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