



W.P.(MD) No.20719 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.20719 of 2018

and

W.M.P.(MD)No.22374 of 2018

K.Thangamani

... Petitioner

-Vs-

1.The District Collector,
Collectorate Office,
Dindigul District, Dindigul-4.

2.The Sub Collector,
Palani, Dindigul District.

3.The Tahsildar,
Vedasandur Taluk Office, Dindigul District.

4.Kumaraiah

... Respondents

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WEB CONTENT

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the Vinayagar Temple encroached in Survey No.699, Water Channel Vadamadurai Village, Vedasandur Taluk, Dindigul District as per the Tamil Nadu Protection of Tank and Eviction of Encroachment Act, 2007 and consequently, to direct the 4th respondent to bear the expenses incurred in removing the encroachment in the water bodies.

For Petitioner : Mr.M.S.Suresh Kumar

For R1 to R3 : Mr.N.GA.Nataraj
Government Advocate

For R4 : Mr.T.Lajapathi Roy

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 3 to remove the Vinayagar Temple constructed encroaching the water channel in Survey No.699 of Vadamadurai Village, Vedasandur Taluk, Dindigul District, as per the Tamil Nadu Protection of Tanks and Eviction of

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Encroachment Act, 2007 and consequently, to direct the 4th respondent to bear the expenses towards removal of such encroachment.

2.Today, when the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 3 has produced a communication of the Tahsildar, Vendasandur in Na.Ka.No.6717/2022/Aa2, dated 24.09.2022 and submitted that by letter dated 24.09.2022, the 3rd respondent has given directions to the authorities of Vadamadurai Town Panchayat to remove the abovesaid encroachment.

3.The said submission of the learned Government Advocate is not refuted by the learned counsel for the petitioner.

4.Recording the said submission, this Writ Petition is disposed of with a direction to the authorities concerned to remove the aforesaid encroachment, after affording sufficient opportunity to all the parties concerned and by following due process of law. Such an exercise shall be completed within a

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period of eight (8) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

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

11.10.2022

Index : Yes / No
Internet : Yes / No
Myr

To:

- 1.The District Collector,
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- 3.The Tahsildar,
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