



W.P.(MD) No.26658 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.26658 of 2022

M.Venkatesan

... Petitioner

Vs.

- 1.The District Collector,
Trichirappalli District,
Trichirappalli.
- 2.Revenue Divisional Officer,
Srirangam Taluk,
Trichirappalli District.
- 3.The Assistant Engineer,
Public Works Department
(Water Resources Division), Trichirappalli.
- 4.The Thasildar,
Srirangam Taluk,
Trichirappalli District.



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5.The Village Administrative Officer,
Kondaiyanpettai Village,
Srirangam Taluk,
Trichirappalli District.

6.The Fircka Surveyor,
Srirangam Taluk,
Trichirappalli District.

7.Mani

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 6 to remove the encroachment upon the water channel bearing Survey Nos.2447 and 2475/1 at Malligaipuram Village, Srirangam Taluk, Trichy District in the light of petitioner's representation dated 25.02.2019.

For Petitioner : Mr.A.S.Krishnan

For Respondents : Mr.P.Thilak Kumar
Government Pleader for R1 to R6



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ORDER

[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 1 to 6 to remove the encroachment upon the water channel, bearing Survey Nos.2447 and 2475/1 at Malligaipuram Village, Srirangam Taluk, Trichy District, in the light of petitioner's representation dated 25.02.2019.

2. Heard Mr.A.S.Krishnan, learned counsel for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader, who takes notice for the respondents 1 to 6. Considering the nature of the order proposed to be passed in this Writ Petition, notice to the seventh respondent is dispensed with.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.



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4. It is the claim of the petitioner that the seventh respondent has made the aforesaid encroachment in the place in question and in this regard, though the petitioner made a representation on 25.02.2019 to the first respondent seeking to remove the aforesaid encroachment, till date, no steps have been taken by the 1st respondent to remove the said encroachment. Hence, the petitioner has filed this Writ Petition.

5. The learned Government Pleader appearing for the respondents 1 to 6 submitted that the representation of the petitioner dated 25.02.2019 would be considered by the official respondents and appropriate action will be taken to remove the encroachment, if any, in the place in question, by due process of law, for which, the learned counsel for the petitioner is agreeable.

6. Recording the above submission, this Writ Petition is disposed of with a direction to the authorities concerned to consider and dispose of the representation of the petitioner dated 25.02.2019, on merits and in accordance with law. If there is any encroachment in the place in question, the authorities



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concerned shall remove the same, after affording sufficient opportunity to all the parties concerned and by following due process of law. Such an 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.]

25.11.2022

vsm

To

- 1.The District Collector,
Trichirappalli District,
Trichirappalli.
- 2.The Revenue Divisional Officer,
Srirangam Taluk,
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