



W.P.(MD) No.26818 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2022

CORAM:

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

W.P.(MD) No.26818 of 2022

P.Muthu

... Petitioner

-vs-

- 1.The District Collector
Madurai District
Madurai
- 2.The Revenue Divisional Officer
Thirumangalam Division
Thirumangalam
Madurai District
- 3.The Assistant Engineer
Public Works Department
Water Resources Organization
Kundaru Vadi Nila Sub Division
Thirumangalam, Madurai District
- 4.The Thasildar
Kallikudi Taluk
Madurai District



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5.The Village Administrative Officer
T.Arasapatti Village
Kallikudi Taluk
Madurai District

6.Natarajan

7.Malairajan

8.Thandi Thevar

9.Rajendran

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 5 to remove the encroachment made by the respondents 6 to 9 and other encroachers in Pottapacheri Tank (Kanmai), situated at T.Arasapatti Village, Kallikudi Taluk, Madurai District, within a stipulated time.

For Petitioner : Mr.Ram Kumar.M.

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader for R1 to R5

ORDER

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

Mr.G.V.Vairam Santhosh, learned Additional Government Pleader, takes notice for the respondents 1 to 5.



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2. Since the writ petition is disposed of at the admission stage itself and in view of the nature of the order proposed to be passed, notice to the private respondents is dispensed with.

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

4. The prayer in the writ petition is for issuance of a writ of mandamus directing the respondents 1 to 5 to remove the encroachment made by the respondents 6 to 9 and others in Pottapacheri Tank (Kanmai), situated at T.Arasapatti Village, Kallikudi Taluk, Madurai District, within a time frame.

5. When the matter was taken up for hearing, learned Additional Government Pleader appearing for the respondents 1 to 5, on instructions, submitted that a survey has already been conducted in the subject water tank and necessary steps are being taken to remove the encroachments, as projected by the petitioner, and it would be removed, in accordance with law, within a period of four weeks.



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6. Recording the above submission of the learned Additional Government Pleader, the authority concerned is directed to remove the encroachments, as projected by the petitioner, in the subject water tank, after giving due notice and sufficient opportunity to all the parties concerned and by following due process of law, within a period of four (4) weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

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

29.11.2022

Index : Yes / No

Internet : Yes / No

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To:

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Thirumangalam Division ,
Thirumangalam,
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- 3.The Assistant Engineer,
Public Works Department,
Water Resources Organization,
Kundaru Vadi Nila Sub Division,
Thirumangalam, Madurai District.
- 4.The Thasildar,
Kallikudi Taluk,
Madurai District.
- 5.The Village Administrative Officer,
T.Arasapatti Village,
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