



W.P.No.837 of 2020

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.No.837 of 2020

Nicholas

.. Petitioner

Vs.

1. The District Collector
Collectorate
Villupuram
Villupuram District.
2. The Sub Collector
Sub Collector's Office
Tindivanam
Villupuram District.
3. The Block Development Officer
Gingee Union
Gingee, Villupuram District.
4. The Tahsildar
Gingee Taluk, Villupuram District.
5. The Village Administrative Officer
Sathiyamangalam Village
Gingee Taluk, Villupuram District.

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6. The Chief Engineer
Public Works Department
Chepauk
Chennai 600 005.
7. The Superintending Engineer
Public Works Department
Water Resource Department
Campus of Planning
Villupuram.
8. Junior Engineer
Public Works Department
Taluk Office Campus
Gingee
Villupuram District.
9. The Assistant Engineer
Public Works Department
Gingee
Villupuram District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to survey the lands and to prepare report and plan to know about the extent of encroachment by encroachers in Big Lake, situated in Survey Numbers 434, 435 and Small Lake situated in S.Numbers 430, 435, 433/1A, 433/2A, 433/3A, 433/5A in Sathiyamangalam Village Account, Gingee Taluk, Villupuram District and further direct the respondent to take appropriate steps as per Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 to removal of



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encroachment, based upon the petitioner's representation dated 13.08.2019.

For the Petitioner : Mr.A.Gouthaman

For the Respondents : Mrs.R.Anitha
Special Government Pleader

ORDER
(Made by the Hon'ble Chief Justice)

We have heard Mr.A.Gouthaman, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader for the respondents.

2. Learned counsel for the petitioner submits that there are encroachments on the waterbodies, i.e. Big lake situated in S.Nos.434 and 435 and small lake in S.Nos. 430, 435, 433/1A, 433/2A, 433/3A and 433/5A in Sathyamangalam Village, Gingee Taluk. The survey is not yet conducted and no steps are undertaken.

3. Learned Special Government Pleader submits that the entire



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encroachment has been removed from S.No.430/1. In some of the matters, the encroachers have already filed writ petitions bearing Nos.24389 of 2022, 24519 of 2022, 24521 of 2022 and 24526 of 2022. In some of the writ petitions, interim orders are in force.

4. Of course, if the interim orders are in force, the respondent authorities cannot take action. However, they may defend the writ petitions and subject to the decision in the said writ petitions, further steps be undertaken immediately.

5. With these observation, the writ petition is disposed of. There will be no order as to costs.

(S.V.G., C.J.)

(P.D.A., J.)
07.08.2023

Index : Yes/No
Neutral Citation : Yes/No

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To

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

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