



W.P.No.3211 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.3211 of 2023

C.Nandakumar

.. Petitioner

Vs

1.The District Collector,
Office of Collectorate,
Namakkal.

2.The Revenue Divisional Officer,
Tiruchengode,
Namakkal District.

3.The Tahsildar,
Komarapalayam,
Namakkal District.

4.Shanmugam
5.Sekar

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 3 to remove the encroachment in the stream situated in S.F.No.369 of Pallipalayam Agraharam Village, Komarapalayam Taluk,



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Namakkal District by considering the petitioner's representations dated 07.04.2022 and 11.04.2022.

For the Petitioner : Mr.R.Marudhachalamurthy

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondent Nos.1 to 3

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

C.Nandakumar, son of Chinnusamy, a resident of Velliangkadu, Sowthapuram Post, Komarapalayam Taluk, Namakkal District, has filed this writ petition seeking issuance of a writ of mandamus directing respondents 1 to 3 to remove the encroachment in the stream situated in S.F.No.369 of Pallipalayam Agraharam Village, Komarapalayam Taluk, Namakkal District, by considering the petitioner's representations dated 07.04.2022 and 11.04.2022.

2. Mr.P.Saravana Sowmiyan, learned counsel appearing on behalf of the petitioner, in support of the aforesaid prayer has



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produced a copy of the 'A' Register, which clearly shows that the land in question is classified as a "water body" (Odai).

3. Mr.P.Muthukumar, learned State Government Pleader taking notice on behalf of the respondents, would submit that, if six weeks' time is granted to respondents 1 to 3, the encroachment made by respondents 4 and 5 shall be removed.

4. Recording the aforesaid submission made by the learned State Government Pleader, the writ petition is disposed of with a direction to respondent 1 to 3 to remove the encroachment made by respondents 4 and 5 over the land classified as "water body" within a period of six weeks from the date of receipt of a copy of this order in accordance with law. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
06.02.2023

Index : No
Neutral Citation : No
sasi



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To:

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THE HON'BLE ACTING CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sasi)

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