



WEB COPY

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W.P.No.30685/2003



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 16-10-2023

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.No.30685 of 2003

Samuthrakulam Abiviruthi Committee,
rep. by its President.

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Petitioner

-VS-

1.The District Collector,
Tirunelveli District.

2.The Commissioner,
Puliankudi Municipality,
Puliankudi,
Tirunelveli District.

3.Executive Engineer,
Public Works Department,
Melvaipparu Vadinilakottam,
Rajapalayam.

...

Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a writ of certiorarified mandamus to call for the records relating to the impugned order passed by the third respondent vide ref.No.Vapa/Va 2/Ko.8/2000/321 M, dated 14.05.2003, quash the same and forbear the respondents herein from putting up any construction or any work or other developments in Survey Nos.219, 220 and 221 in



T.N.Pudukudi Village, Puliankudi, Sivagiri Taluk, Tirunelveli District, affecting, obstructing or likely to obstruct the water course of Samuthiram Odai leading to Samuthirakulam Tank.

For Petitioner : Mr.T.R.Rajaraman

For Respondents : Mr.A.Selvendran,
Special Government Pleader.

ORDER

(By *S.Vaidyanathan,J.*)

Petitioner has come forward with this Writ Petition praying for issuance of a writ of certiorarified mandamus to call for the records relating to the impugned order passed by the third respondent vide ref.No.Vapa/Va 2/Ko.8/2000/321 M, dated 14.05.2003, quash the same and forbear the respondents from putting up any construction or any work or other developments in Survey Nos.219, 220 and 221 in T.N.Pudukudi Village, Puliankudi, Sivagiri Taluk, Tirunelveli District, affecting, obstructing or likely to obstruct the water course of Samuthiram Odai leading to Samuthirakulam Tank.

2. When the matter is taken up for hearing, it is submitted that there is no construction in the aforesaid Survey Numbers and a communication, dated 13.10.2023, addressed by second respondent Commissioner to the said effect has been produced by the learned Special Government Pleader. Accordingly, he submitted that there is no



encroachment; the proposal to construct shops has been dropped and, therefore, no further orders are required in this Writ Petition.

3. Recording the above submission, this Writ Petition is disposed of. No costs. Consequently, the connected W.P.M.P.No.37420 of 2003 is closed.

4. We expect the respondents to remove the encroachment, if any, in the water-body and ensure no encroachment in future in the water-body.

Index : Yes/No
Internet : Yes/No
dixit

(S.V.N.,J.) (K.R.S.,J.)
16-10-2023

To

- 1.The District Collector,
Tirunelveli District.
- 2.The Commissioner,
Puliankudi Municipality,
Puliankudi,
Tirunelveli District.
- 3.Executive Engineer,
Public Works Department,
Melvaipparu Vadinilakottam,
Rajapalayam.



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AND
K.RAJASEKAR,J.

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