



WEB COPY



W.P.No.3199 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.3199 of 2023

A.M.Venkatesan

.. Petitioner

Vs

1.The District Collector,
Salem District, Salem.

2.Allimuthu
Respondents

..

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first respondent to forthwith remove the encroachment made by the second respondent in the field channel comprised in SF No.77/2 situated at Vaikundam Village, Sankari Taluk, Salem District and restore its original status and to maintain the said field channel free of all encroachments.

For the Petitioner : Mr.P.Saravana Sowmiyan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondent No.1



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ORDER

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

A.M.Venkatesan, son of Muthu, a resident of Vaikuntam Village, Sankari Taluk, Salem District, has filed this writ petition seeking issuance of a writ of mandamus directing the first respondent to forthwith remove the encroachment made by the second respondent in the field channel comprised in SF No.77/2 situated at Vaikundam Village, Sankari Taluk, Salem District and restore its original status and to maintain the said field channel free of all encroachments.

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



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the second respondent 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 the first respondent to remove the encroachment made by the second respondent over the land classified as “water body” within a period of six weeks from the date of receipt of a copy of this order. The respondent authorities are further directed to take effective steps to restore the water body to its original state, free from encroachments. There will be no order as to costs.

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

Index : No
Neutral Citation : No
sasi

To:

The District Collector,
Salem District,
Salem.



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

(sasi)

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