



W.P.No.8263 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.8263 of 2023

Chinnasamy

..

Petitioner

Vs.

1. The District Collector
Salem District.

2. Shanthi

3. The Block Development Officer
Thalaivasal Taluk
Salem District.

4. The Tahsildar
Thalaivasal Taluk
Salem District.

..

Respondents

[R3 & R4 suo-motu impleaded
vide order dated 17.03.2023]

Prayer: Writ Petition under Article 226 of the Constitution of India
praying for a writ of Mandamus directing the first respondent to
consider the representation dated 28.12.2022 of the petitioner within

Page 1 of 5



W.P.No.8263 of 2023

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a reasonable period and to remove the encroachment by way of doing cultivation work within the lake area by the second respondent within a reasonable time.

For the Petitioner : Mr.V.Shanmugasundaram

For the Respondents : Mr.P.Muthukumar
for Respondents 1, 3 & 4

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner seeks a writ of Mandamus directing the first respondent to consider his representation dated 28.12.2022 for removing the encroachment made in the lake of Arathi Agraharam Village.

2. Learned counsel for the petitioner submitted that the second respondent has encroached the lake of Arathi Agraharam Village and though he made a representation to the first respondent on 28.12.2022, no action has been taken. In support of his submission, he invited our attention to the reply received under the Right to Information Act dated 02.11.2022, wherein, it is stated that the



W.P.No.8263 of 2023

WEB COPY

second respondent has encroached the lake of Arathi Agraharam Village to an extent of one acre.

3. Learned State Government Pleader submitted that the encroachment made by the second respondent will be removed by the Block Development Officer and Tashildar of Thalaivasal Taluk, Salem District and that since they are not parties to the petition, they may be suo-motu impleaded.

4. In view of the above submission, the Block Development Officer and the Tahsildar of Thalaivasal Taluk, Salem District are suo-motu impleaded as the third and fourth respondent and they are directed to remove the encroachment, after measuring the lake, within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
17.03.2023

Index : Yes/No
Neutral Citation : Yes/No
kpl



W.P.No.8263 of 2023

WEB COPY

To

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Salem District.



WEB COPY



W.P.No.8263 of 2023

T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY,J

(kpl)

W.P.No.8263 of 2023

17.03.2023