



WEB COPY



WP No.5090 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.5090 of 2023

A.Paramasivam

...

Petitioner

versus

1.The District Collector,
Cuddalore District.

2.The Tahsildar,
Srimushnam Taluk, Cuddalore District.

3.The Village Administrative Officer,
Nandeeshwaramangalam and Post,
Srimushnam Taluk, Cuddalore District.

4.A.Sammantham

...

Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing respondents 1 to 3 to remove the encroachment made by the 4th respondent over the public canal, burial ground in S.No.45/2 at Nandeeshwaramangalam village, Srimushnam Taluk, Cuddalore District, considering the petitioner's representation dated 03.12.2022.

For the Petitioner : Mr.P.R.Thiruneelakandan

For the Respondents : Mr.P.Muthukumar,

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State Government Pleader,
for respondents 1 to 3
ORDER

(Made by the Hon'ble Acting Chief Justice)

Seeking a direction upon the official respondents to remove the encroachment made by the fourth respondent, the petitioner has filed this writ petition.

2. It is the case of the petitioner that the petitioner owns agricultural land to an extent of 1.26 acre in S.No.49/1 at Nandeeshwaramangalam Village, Cuddalore District. The petitioner and the villagers get water for drinking and agricultural purposes from the Veeranam lake through Pandian canal. It is the contention of the petitioner that the fourth respondent has encroached into S.No.45/2 and the public burial ground in S.No.45/2 and put up a construction. The said construction was opposed by the villages. In this regard, the petitioner has sent a representation to respondents 1 to 3 to remove the encroachment put up by the fourth respondent. Since no action has been taken so far, the present writ petition has been filed seeking the above mentioned prayer.

3. Mr.P.Muthukumar, learned State Government Pleader, submits that the



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representation of the petitioner would be considered and action would be taken by the first respondent in four weeks' time.

4. Recording the said submission of the learned State Government Pleader, the writ petition is disposed of directing the first respondent to conduct a survey, and if any encroachment is found, issue notice to the encroacher and remove the same. The entire exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
22.02.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

To

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(tar)

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