



W.P.No.4155 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.4155 of 2023

P.Sekar

.. Petitioner

Vs.

1. The District Collector
Tiruvannamalai District.

2. The Block Development Officer
Polur Taluk
Tiruvannamalai District.

3. The Tahsildar
Polur Taluk
Tiruvannamalai District.

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the first respondent to consider the petitioner's representation dated 11.09.2021 and further direct the respondents 1 to 3 to clear the encroachments in the Survey Nos.53, 54, 74, 75, 66/6, 73/2, 677, 40, 44 and 133/2G2 in the



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poramboke land, canal and lake shore of Kasthampadi lake, Krishnapuram Village, Polur Taluk, Tiruvannamalai District.

For the Petitioner : Mr.S.Gunaseelan

For the Respondents : Mr.P.Muthukumar
State Government Pleader

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner seeks a direction to the first respondent to consider his representation dated 11.09.2021 for removing the encroachments in Survey Nos.53, 54, 74, 75, 66/6, 73/2, 677, 40, 44 and 133/2G2 in the poramboke land, canal and lake shore of Kasthampadi lake, Krishnapuram Village, Polur Taluk, Tiruvannamalai District.

2. According to the petitioner, the poramboke lands, canal and lake shore of Kasthamadi lake, Krishnapuram Village, Polur Taluk, Tiruvannamalai District in S.Nos.53, 54, 74, 75, 66/6, 73/2, 677, 40, 44 and 133/2G2 have been encroached by constructing houses and cattle sheds. The said lake was the main source of water for



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agricultural and irrigation purpose to the nearby villages. In view of the encroachment, the agricultural activities are affected. Hence, he made a representation to the third respondent on 17.03.2015. But, no action has been taken on the same. Though the second and third respondent visited the encroached area, no action was taken by them. Again, he made a representation on 11.09.2021 and it also did not evoke any response. Hence, the above writ petition.

3. Learned State Government Pleader, taking notice for the respondents, seeks four weeks' time to consider the representation of the petitioner dated 11.09.2021 and to take appropriate action, if there is any encroachment.

4. In view of the above, this writ petition is disposed of, directing the respondents to consider the representation of the petitioner dated 11.09.2021 and if any *prima facie* case is made out, as alleged by the petitioner, they shall conduct a survey, after issuing notice to the petitioner as well as the persons concerned and if there is any encroachment, the same shall be removed within a period of eight



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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.)
13.02.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The District Collector
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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY,J

(kpl)

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