



WP No.5253 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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R.Samidurai

: Petitioner

Vs

1.The District Collector, Cuddalore District.

2.The Thasildar, Panrutti

3.The Village Administrative Officer
Vallam Village, Panruti Taluk

4.Thangarasu

5.The Assistant Engineer
Public Works Department Vallam Village
Panruti Taluk, Cuddalore Dt.

: Respondents

(R5 impleaded vide order dated 25/06/2019
in WMP.No.17085/19 in WP.No.5253/1)

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing respondents 1 to 3 to remove the encroachment at the West street and in S.No.490/7 at Vallam Village, Panrutti Taluk, Cuddalore District and further direction to respondents 1 to 3 to take appropriate action to make the free flow of the water to the water channel, based on the petition dated 26.11.2018 to the 1st respondent.



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For the Petitioner : Mr.S.C.Vishwanath
For Respondents 1 to 3 & 5: Mrs.R.Anitha, Spl.G.P.
No appearance for the fourth respondent

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.S.C.Vishwanath, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader, for respondents 1 to 3 and 5.

2. The learned counsel for the petitioner submits that encroachment has been made in S.No.490/7 at Vallam Village, Panrutti Taluk, Cuddalore District.

3. The Tahsildar, Panruti Taluk, has filed a reply. It is stated in the reply that S.No.490/7 at Vallam Village, is a Kaali natham. Considering the long standing possession of the person therein, patta has been granted, and there is no water tunnel in S.No.490/7, Vallam Village.



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4. If the petitioner is aggrieved by the grant of patta, remedy exists under the Patta Passbook Act to challenge the same.

5. The writ petition, accordingly, stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

10.11.2023

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

To

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