



W.P.No.8310 of 2023

WEB COPY

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.8310 of 2023

R.Srinivasan

..

Petitioner

Vs.

1. The District Collector
Office of Collectorate
Villupuram
Villupuram District.
2. The Sub Collector
Jakkampettai
Tindivanam.
3. The Block Development Officer
Vallam Panchayat
Villupuram District.
4. The Tahsildar
Gingee Taluk
Villupuram District.
5. Mani
6. Vadivel

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7. Kasinathan

8. Damodharan

9. Mani

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 1 and 4 to consider the petitioner's representation dated 31.01.2022 and directing them to remove the water body encroachment made by the respondents 5 to 9 in the water body canal comprised in Survey No.220/1A1A at Neganurputhur Village, Gingee Taluk, Villupuram District.

For the Petitioner : Mr.D.S.Ramesh

For the Respondents : Mr.J.Ravindran
Additional Advocate General
Assisted by
Mr.A.Selvendran
Special Government Pleader
for Respondents 1, 2 & 4

Mr.P.Muthukumar
State Government Pleader
for Respondent-3

ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed seeking a direction to the respondents 1 and 4 to consider the petitioner's representation dated



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31.01.2022 requesting to remove the encroachment made in the waterbody in Survey No.220/1A1A at Neganurputhur Village, Gingee Taluk, Villupuram District.

2. Learned counsel for the petitioner submitted that in spite of the report of the Revenue Inspector dated 12.07.2022 stating that the respondents 5 to 9 have encroached the lands in S.No.220/1A1A to an extent of 48.31.5 hectares, the official respondents have not removed the encroachment, though notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 was issued by the third respondent.

3. Learned State Government Pleader appearing for the third respondent submitted that when the petitioner seeks to remove the encroachment from the land in S.No.220/1A1A, which is stated to be a waterbody, he should have impleaded the Water Resources Department as a party to the writ petition.

4. As the process of removal of encroachment has already been initiated by the third respondent by issuing notice under Section 6 of



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the Act on 11.10.2022, we direct the third respondent to complete the process of removal of encroachment, in accordance with law, within a period of six 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.)
17.03.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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

(kpl)

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