



W.P. No.263 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No.263 of 2023

S.Palanivel

... Petitioner

versus

1.The District Collector,
Namakkal District.

2.The Tahsildar,
Rasipuram,
Namakkal District

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 02.04.2022 and pass orders.

For the Petitioner : Mr.V.Balu

For the Respondents : Mr.J.Ravindran,
Additional Advocate-General
assisted by Mr.A.Selvendran,
Special Government Pleader



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ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner has come forward with this writ petition for the issuance of a writ of mandamus directing the respondents to consider the representation of the petitioner dated 02.04.2022 and pass orders.

2. In the affidavit filed in support of the writ petition, the petitioner has submitted that he is the Vice President of the All India Hindu Mahasabha, Namakkal Unit. The All India Hindu Mahasaba is a social organisation and it is fighting for the welfare and cause of general public irrespective of caste, creed and religion. The organisation is a registered body, bearing registration No.47/2012.

3. According to the petitioner, in Rasipuram Taluk, Namakkal District, there is a hilly area called Naraikinaru and from that small hill, water used to flow via Oothampallam, Anna Nagar Lake and Navaladi Oothu Lake. The pathway of the water source was more than 30 to 40 meters and the entire flow of water was utilized for agricultural purpose by the surrounding villages like Urambu Annanagar, Veerampalikaduam, Nagapattinam and other such villages. However,



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some vested forces have completely violated the norms and rules and shattered the environmental surroundings, by encroaching the entire water path. As a result, free flow of water is completely prevented. In this regard, the petitioner has sent a representation dated 03.01.2018, followed by many reminders, the last being representation dated 02.04.2022, requesting the official respondents to take immediate steps to remove the encroachment made on the water channel. But no action was taken by the respondents and hence, the present writ petition has been filed.

4. Mr.J.Ravindran, learned Additional Advocate-General submitted that survey is being undertaken and if the respondents come to a conclusion that encroachments have been made, the same would be removed, restoring the width of the water channel as per the revenue records.

5. Recording the said submission of the learned Additional Advocate-General, this writ petition is disposed of, directing the respondents to consider the representation of the petitioner and take action to remove the encroachments. There will be no order as to costs.

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



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Index : Yes/No
Neutral Citation : Yes/No
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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY, J.

(tar)

To

- 1.The District Collector, Namakkal District.
- 2.The Tahsildar,
Rasipuram, Namakkal District

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