



WP No.10907 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.10907 of 2023

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... Petitioner

versus

1.The District Collector,
Tiruvarur District.

2.The Tahsildar,
Mannargudi Taluk,
Tiruvarur District.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Tiruvarur.

4.The Executive Engineer,
Water Resources Department,
Vennar Basin Division,
Tiruvarur District.

5.The Assistant Executive Engineer,
Water Resources Department,
Vennar Basin Sub-Division No.I,
Thiruthuraipoondi,
Tiruvarur District.

Page 1 of 6



WP No.10907 of 2023

6.Subramaniyan

7.Kaliyaperumal

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of mandamus directing respondents 1 to 5 to consider and dispose of the petitioner's representation dated 04.11.2022 and thereby, remove the encroachments made in the Arasaladi Pond Comprised in S.No.105/6 and Pillaiyar Pond comprised in S.No.113/0 at Kottur Thottam, Mannargudi Taluk, Tiruvarur District and its surroundings made by respondents 6 and 7 and others and to restore the water bodies to its original use.

For the Petitioner : Mr.M.Vijaya Raghavan

For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for respondents 1, 2, 4 and 5

Mr.N.R.R.Arun Natarajan,
Special Government Pleader,
for the third respondent



WP No.10907 of 2023

ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed seeking a writ of mandamus directing respondents 1 to 5 to consider and dispose of the petitioner's representation dated 04.11.2022 and remove the encroachments made in Arasaladi Pond comprised in S.No.105/6 and Pillaiyar Pond comprised in S.No.113/0 at Kottur Thottam, Mannargudi Taluk, Tiruvarur District and its surroundings, made by respondents 6 and 7 and others and to restore the water bodies to its original use.

2. Mr.N.R.R.Arun Natarajan, learned Special Government Pleader, appearing for the third respondent producing records, submitted that the ponds are classified as '*Arasu Poromboke Kuttai*' and '*Kulam*'. At the same time, learned Special Government Pleader submitted that the subject ponds do not belong to the temple.

3. Mr.P.Muthukumar, learned State Government Pleader, submits that the representation of the petitioner would be considered and action would be taken by the first respondent in four weeks' time.



WP No.10907 of 2023

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4. Recording the said submission of the learned State Government Pleader, the writ petition is disposed of by directing the first respondent to conduct a survey, and if any encroachment is found, issue notice to the encroachers and thereafter, remove the same immediately. 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.)
10.04.2023

Index : Yes/No
Neutral Citation : Yes/No
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WP No.10907 of 2023

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WP No.10907 of 2023

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WP No.10907 of 2023

10.04.2023