



W.P. No. 12609 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2023

CORAM

THE HON'BLE MR. JUSTICE S. VAIDYANATHAN

AND

THE HON'BLE MRS. JUSTICE R. KALAIMATHI

W.P. No. 12609 of 2023

Mr. Jayaraman

..Petitioner

Vs.

1. The District Collector,
Salem District, Salem.
2. The Revenue Divisional Officer,
Attur Taluk, Salem District.
3. The Tahsildar,
Thalaivasal Taluk,
Salem District.
4. The Assistant Executive Engineer,
Water Resources Department,
Public Works Department,
Attur Taluk, Salem District.

5. Ganesan
6. V. Rangaraj

..Respondents



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Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing respondents 1 to 4 herein to take action on the representation of the petitioner dated 08.03.2023, to remove the encroachments made by 5th and 6th respondent in the Water Channel (Kallaru River) at Survey No. 62 of Kattukottai Village, Thalaivasal Taluk, Salem District and restore the water channel to its original course, by putting up bund-wall along the sides of the river within a time frame.

For Petitioner :: Mr.A.E. Ravichandran

For Respondents :: Mr.P. Muthukumar,
State Government Pleader
for R1 to R4

ORDER

S. VAIDYANATHAN,J.

AND

R. KALAIMATHI,J.

The writ petition is filed for issue of a Writ of Mandamus directing respondents 1 to 4 herein to take action on the representation of the



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petitioner dated 08.03.2023, to remove the encroachments made by 5th and 6th respondent in the Water Channel (Kallaru River) at Survey No. 62 of Kattukottai Village, Thalaivasal Taluk, Salem District and restore the water channel to its original course, by putting up bund-wall along the sides of the river within a time frame.

2. Since no adverse orders are going to be passed against respondents 5 & 6, without notice to them, the writ petition is disposed of.

3. Today, the learned State Government Pleader appearing on behalf of official respondents produced a communication dated 24.04.2023 from the Tahsildar, Thalaivasal, wherein the Tahsildar has stated that survey will be conducted and after survey, the encroachment will be removed.

4. In the light of the aforesaid communication, we expect that the Government will take action immediately, after hearing the 5th and 6th respondents.

5. Since it is represented by the learned State Government Pleader



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that the encroachers have cultivated crops in the survey number in question and that it would take three months for them to harvest the crops, three months' time, from the date of receipt of a copy of this order, is granted to remove the encroachments after the harvest.

6. The writ petition is disposed of accordingly. No costs.

(S.V.N.J.) (R.K.M.J.)

nv

25.04.2023

To

1. The District Collector,
Salem District, Salem.
2. The Revenue Divisional Officer,
Attur Taluk, Salem District.
3. The Tahsildar,
Thalaivasal Taluk,
Salem District.
4. The Assistant Executive Engineer,
Water Resources Department,
Public Works Department,
Attur Taluk, Salem District.

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nv

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