



W.P.No.13093 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVU

W.P.No.13093 of 2023

T.S.Chandrasekar

.. Petitioner

Vs

- 1.The District Collector,
Erode.
- 2.The Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Gobichettipalayam,
Erode District.
- 3.The Thasildar,
Office of Thasildhar,
Bhavani, Erode District.
- 4.The Assistant Engineer,
Public Works Department,
Koodudurai, Bhavani,
Erode District.
- 5.The Executive Engineer (WRO),
Bhavanisagar Dam Division,
Bhavanisagar,
Erode District.



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6.The Executive Engineer (O&M),
Bhavani, Erode District.

7.Subramaniam

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 6 to remove the encroachment caused by the 7th respondent in SF No.808/1 at Thippichettipalayam Village, Erode District, consequently direct them to take appropriate action against the 7th respondent for illegal tapping of river water from the said encroached land to the dying unit existing at Kadayampatti Village, Erode District.

For the Petitioner : Mr.K.Sudhakar
for Mr.R.Nalliyappan

For the Respondents : Mr.J.Ravindran
Addl. Advocate General
assisted by
Mr.A.Selvendran
for respondents 1 to 6

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.K.Sudhakar, learned counsel for the petitioner and Mr.J.Ravindran, learned Additional Advocate General, assisted by Mr.A.Selvendran, learned Special Government Pleader for respondents 1 to 6.



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2. The grievance of the petitioner is that the seventh respondent has made an encroachment on the water body.

3. Learned Additional Advocate General appearing for respondents 1 to 6 submitted that the Executive Engineer, Bhavanisagar Dam Division, Bhavanisagar, Erode District, has sent a reply to the petitioner on 15.3.2023 that action is being taken against the encroachers.

4. Learned Additional Advocate General submitted that action would be taken against the encroachers under the provisions of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 expeditiously.

5. In view of the said statement made by learned Additional Advocate General that the respondent authorities are going to take action against the encroachers, no further orders are necessary in the present writ petition. If the respondent authorities do not take action to remove the encroachment, the petitioner is at liberty to take further



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steps.

6. The writ petition is disposed of accordingly. There will be no order as to costs.

(S.V.G., CJ.) (P.D.A., J.)
01.06.2023

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU, J.

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