



W.P.No.2134 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.2134 of 2021

D.Ponnusamy Gounder

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Petitioner

Vs.

1. The District Collector
Villupuram District
Villupuram.
2. The District Revenue Officer
Villupuram District
Villupuram.
3. The Revenue Divisional Officer
Villupuram District
Villupuram.
4. The Tahsildar
Vikravandi Tahsildar Office
Vikravandi
Villupuram District.

5. R.Jeyaraman

6. Padma

..

Respondents

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Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 1 to 4 to dispose of the representations of the petitioner dated 17.02.2020 and 24.07.2020 seeking for removal of encroachment made by the respondents 5 and 6 in the Nagareddy pond comprised in Old Survey No.18 H & I, R.S.No.93/25, 93/226, Nandhivadi Village, Vikiravandi Taluk, Villupuram District admeasuring 46 cents.

For the Petitioner : Mr.C.K.M.Appaji

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for Respondents 1 to 4

Mr.N.Suresh
for Respondents 5 & 6

ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed to direct the respondents 1 to 4 to dispose of the representations of the petitioner dated 17.02.2020 and 24.07.2020 seeking removal of encroachment made by the respondents 5 and 6 in the Nagareddy pond comprised in Old Survey No.18 H & I, R.S.No.93/25, 93/226, Nandhivadi Village, Vikiravandi Taluk, Villupuram District.



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2. Learned counsel for the petitioner submitted that since respondents 5 and 6 have made encroachment in Nagareddy pond and unless it is removed, the pond cannot be restored. He, therefore, submitted that the respondents 1 to 4 may be directed to consider the representations of the petitioner.

3. Learned State Government Pleader appearing for the respondents 1 to 4 submitted that the allegation made in the writ petition is not sustainable, as the respondents 5 and 6 have been assigned the lands in S.No.93/25 and 93/226, old S.No.18 H & I.

4. Learned counsel appearing for the fifth respondent, referring to the detailed counter filed by the fifth respondent, submitted that the Government has issued patta for the lands covered in S.No.93/25 and 93/26 vide Patta Nos.500 and 501, Nandivadi Village, in the year 2005 and that there is no survey number as S.No.18H & I, as stated by the petitioner.



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5. In view of the above submissions and since the revenue records enclosed by the petitioner at page No.I shows that the land in S.No.18H & I is classified as Tharisu, we do not find any merit in the writ petition. Accordingly, the writ petition fails and the same is dismissed. There will be no order as to costs. Consequently, WMP No.2414 of 2021 is also dismissed.

(T.R., ACJ.) (D.B.C., J.)
13.03.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The District Collector
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Vikravandi, Villupuram District.

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

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