



WEB COPY



W.P.Nos.22925 to 22928 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.03.2023

CORAM

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN
AND
THE HONOURABLE Mr.JUSTICE MOHAMMED SHAFFIQ

W.P.Nos.22925 to 22928 of 2017
and W.M.P.Nos.24079, 24080, 24081 & 24082 of 2017; 13338 of 2021;
and 24139 of 2022

D.Pitchaimani	.. Petitioner in W.P.No.22925 of 2017
R.Rajeshkumar	.. Petitioner in W.P.No.22926 of 2017
L.Yuvaraj	.. Petitioner in W.P.No.22927 of 2017
R.Sekar	.. Petitioner in W.P.No.22928 of 2017

Vs.

1.The Collector,
Thiruvallur District,
Thiruvallur.

2.The Assistant Engineer,
Public Works Department,
Irrigation Section II,
Water Resource Organisation,
Thiruvallur District, Thiruvallur.

3.The Tahsildar,
Thiruvallur Taluk, Thiruvallur.

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4.TANGEDCO, represented by its
Executive Engineer, Perumbakkam Village,
Kadambathur, Thiruvallur District. .. Respondents
(R4 suo motu impleaded by this Court vide order dated 21.04.2021 in
W.P.Nos.22925 to 22928 of 2017)

Common Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF CERTIORARI, calling for the records pertaining to Form III, Rule 6(1) Notice dated 18.08.2017 of the second respondent and quash the same.

For Petitioner
in all petitions : Mr.D.S.Ramesh

For RR 1 to 3
in all petitions : Mr.A.Selvendran
Special Government Pleader

For R4
in all petitions : Mr.P.Gunaraj

COMMON ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

These petitions have been filed by the petitioners to call for the records pertaining to Form III Notice dated 18.08.2017 issued by the second respondent under Rule 6(1) of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Rules, 2007, and quash the same.



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2. When the matters were taken up for consideration, the learned Special Government Pleader appearing for the respondent authorities submitted that nothing survives for further adjudication in these writ petitions, since encroachments have already been removed.

3. At this juncture, the learned counsel for the petitioners submitted that as far as the petitioner in W.P.No.22928 of 2017 is concerned, he has moved a petition in W.M.P.No.24139 of 2022 seeking restoration of electricity connection, stating that he is not an encroacher as declared by the respondent authorities.

4. In view of the above, this court directs the respondent authorities to consider the claim of the petitioner in W.P.No.22928 of 2017 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, these writ petitions stand disposed of. No costs. Connected W.M.Ps. are closed.

[R.M.D., J.] [M.S.Q., J.]
29.03.2023

nsd



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W.P.Nos.22925 to 22928 of 2017

R.MAHADEVAN, J.
AND
MOHAMMED SHAFFIQ, J.

nsd

To

1.The Collector,
Thiruvallur District,
Thiruvallur.

2.The Assistant Engineer,
Public Works Department,
Irrigation Section II,
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