



W.P.No.35482 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.35482 of 2023

M.Mahendiran

..

Petitioner

Vs.

1. The District Collector
Salem, Salem District.

2. The Tahsildar
Sankari Taluk, Salem District.

3. The Junior Engineer
Public Works Department
Mettur Canal Section WRO
Mettur Dam, Salem District.

4. The Assistant Engineer
Public Works Department
Mettur Canal Section WRO
Mayilampatti
Salem District 637 101.

5. N.Mathaiyan

6. P.K.Munusamy

7. V.Raja

..

Respondents

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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the 1st to 4th respondents to take emergent steps to remove the entire encroachments in the P.W.D. Channel situated at S.Nos.370/1B, 370/1C, 370/1D, 370/2A, 370/2B and 370/3A in Arasiramani Village, Sankari Taluk, Salem District by considering petitioner representation dated 10.01.2023.

For the Petitioner : Mr.A.Saravanan

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

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.A.Saravanan, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader for respondents 1 to 4.

2. Learned State Government Pleader, on instructions of the Assistant Engineer, Water Resource Department, Mettur Canal Section, submits that as per the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007, the encroachments will be identified with the help of the Revenue Department and the extent of encroachment, the nature of the encroachment and the name of the



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encroacher will be provided in Form-I by the concerned Tahsildar.

After receiving the Form-I, Form-II will be issued for notifying the encroachments in the Government lands. After issuing Form-II, Form-III notice will be issued to the encroachers for removal of encroachments and if the encroachments are not removed within 21 days, then the encroachments will be removed by the concerned Department after following the due process of law.

3. In view of the said statement, no orders are necessary in the present petition. The writ petition, accordingly, stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

22.12.2023

Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
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D.BHARATHA CHAKRAVARTHY, J.

(drm)

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