



W.P.(MD) No.1698 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1698 of 2023

V.S.Satish Kumar

... Petitioner

-Vs-

1.The District Collector,
Madurai District, Madurai.

2.The Executive Engineer,
TWAD Department,
Periyar Vaigai Basin Zone,
Madurai.

3.The Commissioner,
Madurai Corporation,
Aringyar Anna Maaligai,
Madurai.

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4.The Project Director / Regional Officer,
(Revamped Central Road Fund),
National Highways, Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encroachment made by the public person on the south bank road of Vaigai river more particularly near Ganesh Nagar as represented by the petitioner in his representation dated 11.11.2022.

For Petitioner	: Mr.S.Chamundi Bose
For R1 & R4	: Mr.K.Balasubramani, Special Government Pleader
For R3	: Mr.K.K.Kannan

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition is filed seeking issuance of a Writ of Mandamus, directing the respondents to remove the encroachment made by the public person on the south bank road of Vaigai river, more particularly, near Ganesh Nagar based on the petitioner's representation dated 11.11.2022.

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2.Mr.K.Balasubramani, learned Special Government Pleader takes notice for the respondents 1 and 4 and Mr.K.K.Kannan, learned counsel takes notice for the 3rd respondent. Considering the nature of order proposed to be passed in this Writ Petition, notice to the 2nd respondent is dispensed with.

3.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4.According to the petitioner, his father, namely, Suresh Mohan made a representation dated 28.01.2003, to the respondents, seeking removal of the encroachment made in the land in question, for which, he received a communication dated 28.02.2004 from the 3rd respondent, directing him to approach the Public Works Department. Therefore, the petitioner made a representation dated 11.11.2022 to the respondent. On receipt of the same, the 2nd respondent sent a communication dated 28.10.2022 to the petitioner, stating that TWAD Board and the Madurai Corporation will jointly remove the



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encroachment. Since no action has been taken so far, the petitioner is before this Court with the aforesaid prayer.

5.A perusal of the typed set of papers clearly shows that the petitioner has neither furnished any details with regard to the encroachment made in the land in question nor any 'A' Register copy for identification of classification of the land. Therefore, we are not inclined to entertain this Writ Petition. Accordingly, this Writ Petition stands dismissed. If there is any encroachment in the land in question, it is for the petitioner to give all particulars to the authority concerned seeking removal of the same. No costs.

[D.K.K., J.] & [R.V., J.]
30.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

- 1.The District Collector,
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- 2.The Project Director / Regional Officer,
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