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W.P.(MD)NO.4250 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 05.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.4250 of 2023

PR.Vellaisamy

... Petitioner

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Devakottai Division,
Devakottai.
3. The Tahsildar,
Thiruppathur Taluk,
Thiruppathur,
Sivagangai District.
4. M.Karthikeyan
5. S.Maruthupandian
6. T.Sivachidambaram
7. A.Ganesan
8. S.Sundarapandian



9. M.Annadurai

10.M.Manickakannan

(R-4 to R-10 are impleaded vide Order 13.04.2023
in W.M.P.(MD)No.5238 of 2023)

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encroachment made by a group villagers in the village Oorani (water body) in Survey No. 257/4 of Kundenthalpatti Village, Pirmanampatti Group, Thiruppathur Taluk, Sivagangai District, within the stipulated time that may be fixed by this Court.

For Petitioner : Mr.SP.Vijay Nivas
For R-1 to R-3 : Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner wants the authorities to remove the encroachment committed in the petition mentioned Oorani. It appears that there are two groups in the village. One group had installed an idol in the waterbody.



3. When this Court took serious view of the same, the idol had been shifted to the bund. Now the idol is under a tree. The learned Special Government Pleader states that there is considerable tension in the locality and peace committee meeting is scheduled to be held tomorrow.

4. Taking note of the rival contentions and materials on record, this writ petition is disposed of with the following directions:-

- a) The administration shall forthwith cause removal of fencing as well as pillarstones as well as the gate.
- b) No further construction activities will be permitted.
- c) No Hundiya will be put up.

These directions shall hold good for all times to come.

No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)

5th JULY 2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No

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