



W.P.(MD)No.9347 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.9347 of 2023

R.Stantly

... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District,
At Nagercoil.
- 2.The Executive Engineer,
Water Resource System,
Pattinamkal Division,
Nagercoil,
Kanyakumari District.
- 3.The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.
- 4.The Assistant Executive Engineer,
Public Water Source,
Pattinamkal Division,
Karungal,
Kanyakumari District.



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5.N.Selvaraj
Chairman,
Bethlehem Engineering College,
Nadutheri,
Karungal Post,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 4 to remove the encroachment made by the fifth respondent on Chittar Channel as well as on the banks of the said channel situated in Survey No.660/17 of Karungal Village, Killiyoor Taluk, Kanyakumari District which is encroached by the 5th respondent college putting up construction and blocking the same by considering the representation of the petitioner dated 18.12.2022 within a time frame that may be fixed by this Court.

For Petitioner :Mr.S.C.Herold Singh

For Respondents :Mr.M.Siddharthan
Additional Government Pleader for R1 to R4
: Mr.K.Ragatheeshkumar
for M/s.Isaac Chambers for R5

ORDER

Heard the learned counsel on either side.

2. The petitioner alleges that the private respondent herein has committed encroachment on the water body. Notice was ordered.



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3. Today the learned Additional Government Pleader informs the Court that the revenue authorities conducted inspection and according to them, there is no encroachment whatsoever. The communication issued by the Tahsildar, Killiyur to the Assistant Engineer, WRO, Karungal on 06.06.2023 has been produced before this Court. It states that in Survey No.660/17, Karungal Village, there is no encroachment whatsoever.

4. Recording the said submission made by the learned Additional Government Pleader, the Writ Petition is disposed of. No costs.

[G.R.S., J.] [B.P., J.]
13.06.2023

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

1.The District Collector,
Kanyakumari District,
At Nagercoil.



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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

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- 2.The Executive Engineer,
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