



W.P.(MD)No.8099 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 13.06.2023

CORAM

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

W.P(MD)No.8099 of 2023

Ropson C.Naveen Dass

... Petitioner

Vs.

- 1.The District Collector,
Nagercoil,
Kanyakumari District.
- 2.The Tahsildar,
Kalkulam Taluk,
Nagercoil,
Kanyakumari District.
- 3.The Superintendent Engineer,
Public Works Department,
Water Resources Organization,
PWD Road,
Nagercoil,
Kanyakumari District.
- 4.The Assistant Engineer,
Public Works Department,
Water Resources Organization,
Kothaiyaru Basin,
Thukalay,



W.P.(MD)No.8099 of 2023

WEB 5.Julious

6.Jobidahs

7.Felix Ray

8.Velayutham

9.Romanus Alex

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to evict the encroachers pertaining to Sy.No.220/1 in Neyyoor Village, Kalkulam Taluk “Kattakulam Tank” and restore the water body based on the communication of the fourth respondent issued in Letter No.Ko.47/2874/2022, dated 24.11.2022.

For Petitioner :Mr.K.P.Krishnadoss

For Respondents :Mr.K.Balasubramani
Special Government Pleader for R1 to R4

: Mr.R.Russel Raj for R5 to R7

ORDER

Heard the learned counsel on either side.

2. The prayer made in the writ petition is for clearing the encroachments found in the petition mentioned water body.



W.P.(MD)No.8099 of 2023

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3. When the matter was taken up for hearing, the learned Special Government Pleader appearing for the official respondents, on instructions, submitted that there were originally seven encroachments and out of them, six have already been removed. Steps are being taken to clear the remaining encroachments also.

4. We direct the authorities to complete the process of removal of encroachments within a period of eight weeks from the date of receipt of a copy of this order. We further direct that the petition mentioned Kattakulam tank shall be restored to its original position and it shall be maintained free of any kind of encroachment for all times to come.

5. The Writ Petition is allowed. 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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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

rmi

To

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