



W.P.(MD)No.9763 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.08.2023

CORAM

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

W.P(MD)No.9763 of 2023

M.K.Pandi

... Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Collectorate,
Madurai-625 020.
- 2.The Revenue Divisional Officer,
Melur Taluk,
Madurai.
- 3.The Tahsildar,
Melur Taluk,
Melur-625 106,
Madurai District.
- 4.Ravichandran
- 5.Rajendran
- 6.Raj Kumar
7. The Assistant Engineer,
Water Resources Organisation,



W.P.(MD)No.9763 of 2023

Periyar Vaigai Division,

Melur Taluk,

Madurai District.

(R7 is suo motu impleaded vide
order dated 25.08.2023)

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 3 to implement the order passed by the 3rd respondent in his proceedings 3345/2018/A4 dated 02.12.2019 and consequently to remove the encroachments made in the tank bund in Survey No.337 in Puthusukkampatti Village, Melur Taluk, Madurai District, by considering the representation of the petitioner dated 27.01.2023 within a time frame as may fixed by this Court.

For Petitioners :Mrs.P.Jessi Jeeva Priya

For Respondents :Mr.K.Balasubramani,
Special Government Pleader for R1 to R3 & R7
: Mr.S.A.Ajmal Khan for R4 & R6
: No appearance for R5

ORDER

Heard the learned counsel on either side.

2. The petitioner alleges that Survey No.337, Puthusukkampatti Village is a tank bund and that the private respondents have committed encroachment thereon.

3. The learned counsel appearing for the private respondents would submit that the petitioner is also an encroacher. It is seen that Survey No.339 is also a water body.



W.P.(MD)No.9763 of 2023

WEB COPY

4. We direct the official respondents to ensure that both survey numbers are totally kept free of all kinds of encroachment whether by the petitioner or by the private respondents or by third parties.

5. The Writ Petition is allowed on these terms. No costs.

[G.R.S., J.] [B.P., J.]
25.08.2023

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

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