



W.P(MD)No.7687 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 20.09.2023

CORAM

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

W.P(MD)No.7687 of 2023

S.Thangaselvi

... Petitioner

Vs.

1.The District Collector,
Tenkasi,
Tenkasi District.

2.The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.

3.The Inspector of Police,
Karivalamvantha Nallur Police Station,
Tenkasi District.

4.Paulraj

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the fourth respondent in the water channel with passes through the Survey No. 434, 441 and 442 in Pandhapuli Village, Sankarankovil Taluk, Tenkasi District.



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For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1 to R.3

Mr.S.Palani Velayutham for R.4

ORDER

Heard both sides.

2. The prayer is for removing the encroachments committed by the fourth respondent in the petition mentioned water channel. The fourth respondent had obtained patta in respect of the petition mentioned water channel from the settlement officer, Thanjavur. That was set aside by the Commissioner of Survey and Settlement. The order of cancellation was sustained by this Court. W.P(MD)2356 of 2013 filed by the fourth respondent was dismissed. Challenging the same, he filed W.A(MD)No.1408 of 2022. The said writ appeal was also dismissed by us. Therefore, the prayer in the writ petition has to be allowed as a matter of course.

3. The first respondent is directed to cause removal of the encroachments in the petition mentioned water channel. This exercise shall be



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completed within a period of ten weeks from the date of receipt of a copy of
this order.

4. This writ petition is allowed accordingly. There shall be no order as
to costs.

[G.R.S., J.] [B.P., J.]
20.09.2023

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

To

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Tenkasi District.
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Tenkasi District.
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