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W.P.(MD)NO.8866 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 08.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.8866 of 2023

P.Muniappan

... Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.
2. The Revenue Divisional Officer,
Palani,
Dindigul District.
3. The Tahsildar,
Gujiliamparai Taluk Office,
Gujiliamparai,
Dindigul District.
4. The Executive Officer,
Palayam Town Panchayat,
Palayam,
Gujiliamparai Taluk,
Dindigul District.
5. Murugesan

... Respondents



Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1 to 4th respondents herein to remove the encroachment made by the 5th respondent herein on the water channel comes from “Sevagounden Kulam” situated in Survey No. 229 at Palayam Village, Gujiliamparai Taluk, Dindigul District based on the petitioner's representations dated 28.12.2022 and 22.03.2023.

For Petitioner : Mr.G.Gomathi Sankar
For R-1 to R-4 : Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for respondents 1 to 4.

2. Notice has been served on the fifth respondent. An Advocate by name Mr.Sivanandhan had entered appearance.

3. The case of the petitioner is that the fifth respondent has put up construction on the petition mentioned water body. The learned Special Government Pleader clarifies that inspection was conducted and no



construction had come up on any water body. It is stated that the fifth respondent had attempted to put up construction on a cart track in survey No.206/1.

4. Since the case of the petitioner that the water body has been encroached stands disproved, the question of issuing direction in the writ petition does not arise. This writ petition stands dismissed. No costs.

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

8th JUNE 2023

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

To:

1. The District Collector,
Dindigul District, Dindigul.
2. The Revenue Divisional Officer,
Palani, Dindigul District.
3. The Tahsildar,
Gujiliamparai Taluk Office,
Gujiliamparai, Dindigul District.
4. The Executive Officer,
Palayam Town Panchayat,
Palayam, Gujiliamparai Taluk, Dindigul District.



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4

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AND

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