



W.P.(MD)No.8187 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 11.04.2023

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

W.P(MD)No.8187 of 2023

Jeyaraj

... Petitioner

Vs.

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Assistant Director (Panchayats)
Dindigul District,
Dindigul.
- 3.The Revenue Divisional Officer,
Dindigul District,
Dindigul.
- 4.The Tahsildar,
Office of the Tahsildar,
Natham, Dindigul District.
- 5.The Block Development Officer (Village Panchayats)
Natham Panchayat Union,
Dindigul District.



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6.The President / Executive Officer,
Punnapatti Village Panchayat,
Natham, Dindigul 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 5 to eradicate and remove the encroachment in the form of Tamarind Trees, bushes and Aloe Vera plants spread across the Vedakonkulam Tank, situated in S.No.43/2 to an extent of 1.24 hectares at Punnapatti Village, Natham Taluk, Dindigul District and further direct the respondents 1 to 5 to conduct dredging works in the above said tank and fix four boundaries and to restore and maintain the above tank.

For Petitioner :Mr.C.Susikumar

For Respondents :Mr.K.Bala Subramani
Special Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner wants this Court to direct the authorities to remove what according to him are encroachments on the petition mentioned water bodies. Even according to the petitioner, quite a few tamarind trees and aloe vera plants had come up.



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3. We are not inclined to direct the respondents to remove the tamarind trees. It is of-course open to the petitioner to approach the concerned authority for carrying out the dredging works in the said tank at their own cost. If any such representation is submitted to the competent authority, the same will be considered and disposed of on merits. We make it clear that in the guise of dredging works, tamarind trees shall not be removed. We are confident that the character of the water body can be restored even without cutting down the tamarind trees in question.

4. This Writ Petition is disposed of accordingly. No costs.

[G.R.S., J.] [B.P., J.]
11.04.2023

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
rmi

To

1.The District Collector,
Dindigul District,
Dindigul.

2.The Assistant Director (Panchayats)
Dindigul District,
Dindigul.



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