



W.P.(MD)No.10805 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.07.2023

CORAM

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

W.P(MD)No.10805 of 2023
and
W.M.P.(MD)No.9495 of 2023

V.Krishna Moorthi

... Petitioner

Vs.

- 1.The District Collector,
Pudukkottai District.
- 2.The Tahsildar,
Alankudi Taluk,
Pudukkottai District.
- 3.The Assistant Director of Panchayat,
District Collector Office,
Pudukkottai District.
- 4.The Block Development Officer,
Thiruvankulam Panchayat Union,
Pudukkottai District.
- 5.The Executive Officer,
Vallathirakottai Panchayat,
Vallathirakottai,
Pudukkottai District.



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6.The President,
Vallathirakottai Panchayat,
Vallathirakottai,
Pudukkottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to ensure that water body i.e. Vari available in Survey No.5, Vallathirakottai Village, Pudukkottai Taluk and District is being maintained as a water pathway all along for transmitting the rain water towards the Gopalamudram @ Kolakulam situated in Survey No.223 of the said village by completely stopping the activities of allowing a daily market to be functioned on such place on the strength of the petitioners representation dated 14.07.2021.

For Petitioners :Mr.R.Anand

For Respondents :Mr.Ramesh Arumugam
Government Advocate

ORDER

Heard the learned counsel on either side.

2. The grievance of the petitioner is that the petition mentioned water body was used as weekly market by the agriculturists. That led to filing of this writ petition.



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3. When the matter was taken up for hearing, the fourth respondent has given written instructions admitting the allegations made by the writ petitioner and stating that since the agriculturists have been given alternative site to run their weekly market, the petition mentioned water body shall be maintained free of encroachment.

4. The undertaking given by the official respondents is recorded. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
07.07.2023

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

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Pudukkottai District.

2.The Tahsildar,
Alankudi Taluk,
Pudukkottai District.



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and

B.PUGALENDHI, J.

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- 3.The Assistant Director of Panchayat,
District Collector Office,
Pudukkottai District.
- 4.The Block Development Officer,
Thiruvarankulam Panchayat Union,
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