



W.P.(MD)No.14411 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 21.08.2023

CORAM

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

**W.P(MD)No.14411 of 2023
and
W.M.P(MD)No.12208 of 2023**

Vijayakumar

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Assistant Director (Panchayat),
Collectorate Campus,
Sivagangai,
Sivagangai District.
- 3.The Tahsildar,
Manamadurai Taluk,
Sivagangai District.
- 4.The Block Development Officer,
Manamadurai Block,
Sivagangai District.



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5. The Panchayat President,
M.Karisalkulam Village,
Manamadurai Taluk,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the first respondent to issue necessary direction to the respondents 2 and 3 herein to remove the encroachment by demolishing the unwanted Kalai Arangam put up by the respondents 4 and 5 in the Government Alagarkovil Orani comprised in Survey No. 347 situated at Vannikudi Village, M.Karisalkulam Panchayat, Manamadurai Taluk, Sivagangai District, based on petitioner's representation dated 16.05.2023.

For Petitioner : Mr.S.Kishore Kumar

For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

Heard the learned counsel on either side.

2. There is no dispute that the petition mentioned survey number has been classified as water body. In the said water body, Kalaiarangam was proposed to be constructed. Pillars had been erected. In this background, the present writ petition came to be filed.



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3. When the matter was taken up for final hearing, the learned Special Government Pleader submitted that on 16.06.2023 peace committee meeting was conducted and it was decided that Kalaiarangam will not be constructed in the petition mentioned water body. The said undertaking is recorded.

4. The respondents are directed to remove the pillars and constructions that have already come up. This shall be done within a period of three weeks from the date of receipt of a copy of this order. The water body shall be restored to its original pristine condition and shall be maintained as such for all times to come.

5. This writ petition is allowed on these terms. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
21.08.2023

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

To
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Sivagangai District,
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and

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