



W.P(MD)No.16267 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 07.09.2023

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

W.P(MD)No.16267 of 2023

N.Viralimaya Thevar

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Dindugal District.

2.The Thasildar,
Nilakkottai Taluk,
Dindugal District.

3.V.Selvam

4.Manokaran

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd Respondent to Remove the encroachment of the common path which blocked the geological stream (nilaviyalodai) by 3rd and 4th respondents



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herein and also, direct the 3rd and 4th respondents to fix those channels which is blocked by them and not to encroach in future. The path which is used for the water channel which it will flow till sluice from the lake, with in a time frame stipulated by this Court.

For Petitioner : Mr.A.Ganesan

For Respondents : Mr.Mr.K.Balasubramani,
Spl. Government Pleader for R1 & R2.
Mr.Gnanaguranathn,
For Mr.K.Samidurai for R3 & R4.

ORDER

Heard the learned counsel on either side.

2.The prayer made by the writ petitioner is that the encroachments committed in respect of Nilaviyal Odai by the respondents 3 and 4 should be removed.

3.The stand of the respondents 3 and 4 is that they have not committed any encroachment and that the petition mentioned Nilaviyal Odai is very much in existence.



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4.The learned Special Government Pleader on instructions states that encroachments were noticed and that they have been removed on 19.06.2023.

5.The stand taken by the respondents is recorded. The respondents 1 and 2 are directed to ensure the Nilaviyal Odai mentioned by the petitioner is maintained as such without any encroachment in future also.

6.This writ petition is disposed of accordingly. No costs.

(G.R.S.J.) & (B.P.J.)
07.09.2023

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

1.The District Collector,
District Collector Office,
Dindugal District.

2.The Thasildar,
Nilakkottai Taluk,
Dindugal District.

3/4



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