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W.P.(MD)NO.18653 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.18653 of 2023

T.Chandrasekaran

... Petitioner

Vs.

1. The District Collector,
Tiruchirappalli,
Tiruchirappalli District.
2. The District Revenue Officer,
District Collector Office Campus,
Tiruchirappalli, Tiruchirappalli District.
3. The Revenue Divisional Officer,
Musiri Division, Tiruchirappalli,
Tiruchirappalli District.
4. The Tahsildar,
Musiri Taluk,
Tiruchirappalli,
Tiruchirappalli District.
5. The Block Development Officer,
Thathaiyangarpet, Tiruchirappalli,
Tiruchirappalli District.
6. The President,
Mangalam Village Panchayat,
Thathaiyangarpet Union,
Tiruchirappalli, Tiruchirappalli District.



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7. MIT College of Agriculture or Technology,
Rep. by its Director,
Vellallapatti Post, Mangalam Village,
Musiri Taluk,
Tiruchirappalli,
Tiruchirappalli District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 4th respondent to remove the encroachments made by the 7th respondent in the water bodies comprised in Survey Nos.64, 71/1 and 72 in Mangalam Village, Musiri Taluk, Trichy District in pursuant to the order passed by the 1st respondent in his proceedings Moo.Moo.Aa1/COLREV 41138/2022 dated 27.04.2023 by considering the representations of the petitioner dated 13.05.2023, 10.06.2023 and 16.06.2023.

For Petitioner : Mr.C.Guhaseelarupan
For R-1 to R-6 : Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the official respondents.



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2. The petitioner wants this Court to direct the fourth respondent to clear the encroachments committed by the seventh respondent on the petition-mentioned water-body.

3. When the matter was taken up for hearing, the learned Special Government Pleader submitted that the final order under Section 6 of the Tamil Nadu Land Encroachment Act had already been passed by the fourth respondent. The encroacher filed an appeal before the District Collector and the same was also dismissed on 27.04.2023. Challenging the same, the encroacher moved the Additional Chief Secretary, Revenue and Disaster Management Department, Government of Tamil Nadu by way of revision.

4. Even though the said revisional authority is not before this Court, we direct the revisional authority to dispose of the revision on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order. Based on the outcome of the said revision, consequential action has to necessarily follow. The revisional



authority should not seek extension of time. The first respondent shall inform the revisional authority about the passing of this order. This writ petition stands disposed of. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
3rd AUGUST 2023

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

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