



W.P.(MD)No.16775 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 31.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.16775 of 2014

and

M.P.(MD)Nos.1 and 2 of 2014

St.Thomas High School,
Rep. by its Parish Priest and Correspondent,
Pattukkottai Town, Thanjavur District.

... Petitioner

Vs.

- 1.The District Collector,
Thanjavur District, Thanjavur.
- 2.The Assistant Executive Engineer,
Public Works Department / W.R.O.,
Pattukkottai, Thanjavur District.
- 3.The Assistant Director,
O/o. District Land Survey, Thanjavur.
- 4.The Tahsildar,
Pattukkottai Taluk, Pattukkottai.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records on the file of the 2nd respondent in



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connection with the impugned order passed by him in his Letter No.Ko.43/2014, dated 18.09.2014 and quash the same.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.T.Amjadkhan, Government Advocate

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The notice issued by the Assistant Executive Engineer, Public Works Department / Water Resources Organization, Pattukkottai, Thanjavur District / 2nd respondent dated 18.09.2014 is under challenge in the present Writ Petition.

2.The petitioner / St.Thomas High School encroached upon the water body, which is classified as 'Pikkatchiyar Odai'. The encroachment of water body at no circumstances be permitted, as the State is duty bound to protect the water bodies for the benefit of larger public interest. Admittedly, the petitioner has constructed a compound wall in the water body and therefore, we do not find any reason to interfere with the order impugned. The encroachments in water bodies are to be removed without causing any undue delay. Therefore, the respondents are directed to remove the encroachment forthwith.



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3. With the above direction, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S., J.) & (V.L.N., J.)

31.10.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

Yuva

To

1. The District Collector,
Thanjavur District, Thanjavur.
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