



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.09.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.20465 of 2014 AND
M.P.(MD)Nos.1 & 2 of 2014

K.Karuppaiah

... Petitioner

Vs.

1. The Tahsildar,
Karaikudi Taluk, Sivagangai District.

2. The District Collector,
Sivagangai District, Sivagangai.

3. The Additional Chief Secretary / Commissioner
of Land Administration,
Chepauk, Chennai.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the third respondent ROC.T2/26776/2009 dated 15.09.2014 and the impugned proceedings of the second respondent in E4/12098/2008 dated 29.05.2009 confirming the proceedings of the first respondent issued under Section 6 of the Land Encroachment Act 1905 on 16.02.2009 and quash the same and consequently forbear the respondents or any one claiming under them from any manner interfering with the petitioner's peaceful possession and enjoyment of his small house, built by him in 3300 sq.ft of land in TS No.532(Ward 35, Block 15) of Karaikudi Town, Sivagangai District.



For Petitioner : No appearance.

For Respondents: Mr.N.Ga.Natraj,
Government Advocate.

* * *

ORDER

None appears for the petitioner.

2. I went through the contents of the affidavit filed in support of the writ petition.

3. The petitioner challenges the action taken by the authorities for evicting him from the petition-mentioned survey number.

4. It is seen that survey No.532/50 has been classified as “ Kudikattan Kanmoi”. It is well settled that a water body has to be maintained as such and free from encroachment. The authorities cannot be blamed for taking action. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

21.09.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU



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To:

1. The Tahsildar,
Karaikudi Taluk,
Sivagangai District.
2. The District Collector,
Sivagangai District,
Sivagangai.
3. The Additional Chief Secretary / Commissioner
of Land Administration,
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G.R.SWAMINATHAN,J.

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