



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.14435 to 14442 of 2015

and

MP(MD)Nos.1,1,1,1,1,1,1 & 2, 2, 2 & 2 of 2015

and

WMP(MD)Nos.5105 to 5112 of 2015

in WP(MD)No.14435 of 2015 :-

Veeramakali

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District.

2.The Tahsildar, Mudhukulathur Taluk,
Ramanathapuram District.

3.The Assistant Engineer,
Public Works Department,
Neer Vadigal Adharam,
Kundaru Vadinila Pirivu No.9
Mudhukulathur,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the 3rd respondent dated 23.07.2015 and quash the same and consequently forbearing the respondents from disturbing the peaceful possession and enjoyment of the property of the



petitioner in Survey No.470/3 situated at Melachirupodhu village,
Mudhukulathur Taluk.

For petitioner : Mr.J.Anandakumar

For Respondents : Mr.S.Shanmugavel,
Additional Government Pleader

ORDER

Heard the learned counsel on either side. Thiru.Suresh Kumar, the Assistant Engineer (PWD) assisted the court.

2.The petitioners challenge the Form-III notice issued by the third respondent. The case of the third respondent is that the petitioners have encroached on a portion of the petition-mentioned water body and that encroachments were identified after conducting survey. The petitioners have not enclosed even a scrap of material in support of their claim that they are entitled to occupy the petition-mentioned survey numbers. According to the third respondent, the encroachment is on Survey No.50, Mela Chirupodhu Village, Mudhukulathur Taluk, Ramanathapuram District. The removal of encroachment shall be confined to the said survey number alone. Encroachment on water bodies cannot be condoned.



3. These writ petitions are dismissed. No costs. Connected miscellaneous petitions are closed.

25.09.2023

Index : Yes / No
Internet : Yes/ No
skm

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Ramanathapuram District.
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G.R.SWAMINATHAN, J.

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