



1

W.P.(MD)NO.22530 OF 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 21.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.22530 of 2018

P.Gopalakrishnan

... Petitioner

Vs.

1. The Secretary,
Secretariat,
St. George Fort,
Chennai – 9.
2. The Joint Chief Engineer,
O/o.Chief Engineer,
Water Resource Department (WRO),
PWD Compound,
Chepauk, Chennai.
3. The District Collector,
Trichy District,
Trichy.
4. The Executive Engineer,
Public Works Department,
Water Resource Department(WRO),
Near District Court,
Cantonment,
Trichy.
5. The Block Development Officer,
Vaiyampatti Panchayat,
Vaiyampatti, Trichy District.



6. The Tahsildar,
Tahsildar Office,
Manapparai Taluk,
Trichy District.

7. Veeragounder

8. Durai

9. M.Govindaraj

10. Andivel

11. Rajkumar

12. Chinnu

13. Murugan

14. Vellaiyagounder

15. Pandian

16. Murugan

(R-7 to R-16 are impleaded vide order dated 14.11.2018

in W.M.P.(MD)No.20570 of 2018)

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 30.10.2018 and remove the encroachments and laying of road in Kulanthai Goundan Kulam in survey No.132 at Anna Nagar, Vaiyampatti, Manapparai Taluk, Trichy and restore the said Kulanthai Goundan Kulam and its water catchment area by de-silting it.



For Petitioner : Ms.R.Yamuna
For R-1 to R-6 : Mr.V.Nirmal Kumar,
Government Advocate.
For R-7 to R-16 : Ms.P.Kalaiaarasi Bharathi

* * *

ORDER

Heard both sides.

2. The petitioner alleges that in the petition-mentioned water-body, there are encroachment and that they will have to be removed.

3. No exception can be taken to the said demand. It is stated by the officials that the water-body belong to the local body.

4. The fifth respondent is directed to conduct survey and identify the encroachments. Once the encroachers are identified, notice shall be issued to the encroachers to vacate. If the encroachers fail to vacate and comply with the demand of the local body, the Block Development Officer shall send appropriate proposals to the Tahsildar, Manapparai. The Tahsildar, Manapparai shall conduct enquiries on the said



4

W.P.(MD)NO.22530 OF 2018

proposals and take action as per the provisions of the Tamil Nadu Land Encroachment Act. The entire exercise shall be completed within a period of five months from the date of receipt of a copy of this order. This writ petition stands disposed of accordingly. No costs.

(G.R.SWAMINATHAN,J.)

(B.PUGALENDHI,J.)

21.11.2023

NCS : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU



WEB COPY



To:

1. The Secretary,
Secretariat,
St. George Fort,
Chennai – 9.
2. The Joint Chief Engineer,
O/o.Chief Engineer,
Water Resource Department (WRO),
PWD Compound,
Chepauk, Chennai.
3. The District Collector,
Trichy District,
Trichy.
4. The Executive Engineer,
Public Works Department,
Water Resource Department(WRO),
Near District Court,
Cantonment,
Trichy.
5. The Block Development Officer,
Vaiyampatti Panchayat,
Vaiyampatti, Trichy District.
6. The Tahsildar,
Tahsildar Office,
Manapparai Taluk,
Trichy District.



6

W.P.(MD)NO.22530 OF 2018

G.R.SWAMINATHAN,J.
AND
B.PUGALENDHI,J.

PMU

W.P.(MD)No.22530 of 2018

21.11.2023