



W.P.(MD) No.14854 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2023

CORAM:

**THE HON'BLE MR.T.RAJA, THE ACTING CHIEF JUSTICE
and
THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR**

**W.P.(MD) No.14854 of 2016
and W.M.P.(MD)No.10975 of 2016**

Mr.T.Navaneethakrishnan

... Petitioner

-VS-

1.The District Collector,
Office of the District Collectorate,
Ramanathapuram District.

2.The District Revenue Officer,
O/o. District Revenue Office,
Ramanathapuram District,
Ramanathapuram.

3.The Tahsildar,
Tahsildar Office,
Kadaladi,
Kadaladi Taluk,
Ramanathapuram District.

4.Mr.Ramakrishanan

... Respondents



W.P.(MD) No.14854 of 2016

WEB COPY

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent Nos.1 to 3 to remove the encroachment of water body in an extent of 1.38 hectares made by the respondent No.4 in Survey No.497/2 situated at Aappanur Group, Muthania Kanmai, Aappanur (Post), Kadaladi (Taluk), Ramanathapuram District within the time period stipulated by this Court.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.P.Thilak Kumar,
Government Pleader for R1 to R3
Mr.S.Madhavan for R4

ORDER

**[Order of the Court was made by
The Hon'ble The ACTING CHIEF JUSTICE]**

Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondent Nos.1 to 3 to remove the encroachment in the water body to an extent of 1.38 hectares made by the respondent No.4 in Survey No.497/2 situated at Aappanur Group, Muthania Kanmai, Aappanur (Post), Kadaladi (Taluk), Ramanathapuram District.



W.P.(MD) No.14854 of 2016

WEB COPY

2. Today, when the matter was taken up for hearing, the learned Government Pleader appearing for the respondents 1 to 3 would submit that the fourth respondent, having cultivated paddy in the land in question, has harvested the same. Learned Government Pleader would further submit that though the encroachment has already been removed on 09.05.2022, once again, the fourth respondent is said to have encroached the land in question. He would further submit that the fourth respondent has also made a request for issuance of patta in respect of the land in S.No.497/2 and since the land in question has been classified as water body, the same has not been considered.

3. In view of the aforesaid submission, this Writ Petition stands closed. However, it is made clear that if any encroachment is made in the water body in question, the Tahsildar/3rd respondent, is directed to remove the same. No costs. Consequently, connected miscellaneous petition is closed.

[T.R., A.C.J.] [D.K.K., J.]
02.02.2023

NCC : Yes / No
Index : Yes / No
RR/VSM



WEB COPY



W.P.(MD) No.14854 of 2016

THE HON'BLE THE CHIEF JUSTICE
and
D.KRISHNAKUMAR, J.

RR/VSM

To:

- 1.The District Collector,
Office of the District Collectorate,
Ramanathapuram District.
- 2.The District Revenue Officer,
O/o. District Revenue Office,
Ramanathapuram District,
Ramanathapuram.
- 3.The Tahsildar,
Tahsildar Office,
Kadaladi,
Kadaladi Taluk,
Ramanathapuram District.

W.P.(MD)No.14854 of 2016

02.02.2023