



W.P(MD)No.26098 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 23.11.2023

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.26098 of 2023

K.Uthandaraman

... Petitioner

Vs.

- 1.The District Collector,
District Collector Office,
Virudhunagar District.
- 2.The Director,
Directorate of Municipal Administration,
75, Urban Administration Building,
Santhome High Road, MRC Nagar,
Raja Annamalaipuram,
Chennai - 600 02.
- 3.The Commissioner,
Sivakasi Corporation,
Virudhunagar District.
4. The Revenue Divisional Officer,
Revenue Divisional Office,
Sivakasi, Virudhunagar District.
- 5.The Thasildar,
Thasildar Office,



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Sivakasi Taluk,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to restore and preserve the Water Tank (Oorani) situated at Sivakasi Corporation Ward C, Block No.6, Town Survey No.15, measuring to an extent of 1 Acre, which is classified as Government Poramboku (Oorani) based on the representation sent by the petitioner dated 08.04.2023.

For Petitioner : Mr.R.Rajamohan

For Respondents : Mr.K.Balasubramani,
Spl. Govt. Pleader for R1, R2, R4 & R5.
Mrs.S.Devasena for R3.

ORDER

Heard both sides.

2.The petition mentioned tank is lying within the corporation limit of Sivakasi. It is categorically asserted by the respondents that the water body has not been encroached as such. But then it is not in proper



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condition. The photographs produced by the learned counsel for the petitioner would indicate that two many shrubs have been grown in the tank. We also have a doubt that a building has been constructed within the tank boundaries. In order to dispel the same, the respondent are directed to conduct proper survey. All efforts will be made to restore the water body to its original condition. The shrubs that have grown in the water body shall be removed. This exercise shall be done as expeditiously as possible.

3.This writ petition is disposed of accordingly. No costs.

(G.R.S.J.) & (B.P.J.)
23.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

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