



W.P(MD)No.27392 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 31.10.2023

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

W.P(MD)No.27392 of 2019

Palanisamy

... Petitioner

Vs.

- 1.The District Collector,
Collectorate Buildings,
Dindigul.
- 2.The Superintendent of Police,
Dindigul District.
- 3.The Revenue Divisional Officer,
Dindigul.
- 4.The Tahsildar,
Dindigul East Taluk,
Dindigul.
- 5.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul.
- 6.Jawahar
- 7.J.Murugeshwari



W.P(MD)No.27392 of 2019

8. The Assistant Executive Engineer,
WRD, Kudaganar Sub Division,
Vedasandur,
Dindigul District.
*(R.8 is suo motu impleaded vide
order of this Court dated 12.10.2023)*

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to take action and remove the encroachment in pathway and Odai in S.No.351 of Mullipadi Village, Dindigul East Taluk, Dindigul District and restore the same to its original position, within the stipulated time and also to provide necessary police protection during this exercise and to take appropriate action against the private respondents or anybody obstructing the work of the official respondents.

For Petitioner : Mr.H.Lakshmi Sankar

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1 to R.5 & R.8

Mr.R.Ramadurai for R.6 & R.7

ORDER

Heard both sides.

2. The petitioner's demand is that the petition mentioned encroachment should be removed. The water body in question vests with the



W.P(MD)No.27392 of 2019

Water Resources Department. The eighth respondent was therefore *suo motu* impleaded on the last occasion. Today when the matter was taken up for hearing, the learned Special Government Pleader submitted that Form – II notice was issued today (31.10.2023) and it has been received by the encroachers also.

3. We direct the eighth respondent to take the matter to its logical conclusion. Due process of law shall be scrupulously observed. If encroachments have been demonstrated to exist, they shall be removed. The entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order. If the encroachers / private respondents offer any explanation, the same will also be duly taken into account before passing final order.

4. This writ petition is disposed of accordingly. There shall be no order as to costs.

[G.R.S., J.] [B.P., J.]
31.10.2023

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MGA



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W.P(MD)No.27392 of 2019

G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

MGA

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