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WM.P.(MD)NO.26033 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.M.P.(MD)No.26033 of 2023 IN
REV.APLW(MD)SR.No.92957 of 2023

1. A.Wins Anto,
S/o.Antony Muthu,
Chairman,
Project Committee,
Kothaiyar Basin Irrigation System,
Water Resources Department,
Nagercoil, Kanyakumari District.
 2. V.Murugesu Pillai,
S/o.Velayuthampillai,
President,
P.P.Channel Distributory Committee, WRD,
Eraniel & Post, Kanyakumari District.
 3. R.Chellappan,
S/o.Kumara Udhayamarthandan,
President,
Eraniel Kadaimadai, Neyyoor, Colachel,
Cheramangalam, Major and Minor Branch Canals,
Water Users Association, Lakshmipuram,
Water Resources Department,
Neyyoor, Neyyoor Post,
Kanyakumari District. ... Petitioner / Petitioner
- Vs.
1. The District Collector,
Kanyakumari District, Nagercoil.



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2. The Executive Engineer,
Kothaiyar Irrigation Division,
WRD, Nagercoil.
3. The Assistant Engineer,
Irrigation Special (Tanks) Section,
WRD, Thuckalay, Kanyakumari District.
4. The Superintendent of Police,
Kanyakumari District,
Nagercoil,
5. The Sub Collector,
Padmanabapuram Revenue Division,
Thuckalay, Kanyakumari District.
6. The Tahsildar
Kalkulam Taluk, Thakkalay Post,
Kanyakumari District.
7. The President,
Chadayamangalam Village Panchayat,
Chadayamangalam,
Kanyakumari District.

... Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to condone the delay of 49 days in filing the review petition and render justice.

For Petitioners : Mr.G.Prabhu Rajadurai
For R-1 to R-3,
R5,R-6 & R-7 : Mr.K.Balasubramani,
Special Government Pleader.
For R-4 : Mr.A.Albert James,
Government Advocate.

* * *

**ORDER**

The petitioners are permitted to file a fresh writ petition in respect of the encroachment said to have been committed by the private parties in the petition-mentioned water body.

2. With this liberty to the petitioners, this petition is disposed of. Rev.Aplw(MD)SR.No.92957 of 2023 is closed at SR stage itself.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)

21st December 2023

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

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To:

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Kanyakumari District, Nagercoil.
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3. The Assistant Engineer,
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G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

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REV.APLW(MD)SR.No.92957 of 2023

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