



W.P No.2199 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P No.2199 of 2024
and W.M.P.Nos.2390 and 2391 of 2024

1. Durai
2. Thanam
3. Chellathai
4. Madheswaran
5. Ramesh
6. Indradevi
7. Prabavathy
8. Murugan
9. Sundari
- 10.V.Selvaraj
- 11.R.Geetha
- 12.Venkatesan
- 13.Shanthi
- 14.Gladys
- 15.Rajendran
- 16.P.Subramani
- 17.Alamelumangai
- 18.A.Mani
- 19.Rajeshwari
- 20.Ramu

.. Petitioners

-vs-

- 1.The Principal Secretary to Government
Public Works Department, Secretariat,
Chennai-600 009.



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WEB CO

2.The District Collector
Office of the District Collector
Thiruvallur-602 001.

3.The Commissioner
Avadi Municipality
Office of the Commissioner
NM Road, TNHB, Avadi
Chennai 600 054.

4.The Tahsildar
Office of the Tahsildar
Avadi, Chennai 600 072.

5.The Assistant Engineer
Water Resources Department
Adayaru Irrigation Division
St.Thomas Mount, Chennai 600 016.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records pertaining to the issuance of Form III notice under rule 6(1) of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Rules 2007 issued by the 5th respondent dated 12.01.2024 and quash the same.

For the Petitioner	:	Mr.B.Kumarasamy
For the Respondents	:	Mr.K.Karthik Jagannath Government Advocate -RR 1, 2 and 4 Mr.R.A.Gopinath Standing Counsel - for R3

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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.B.Kumarasamy, learned counsel for the petitioners, Mr.K.Karthik Jagannath, learned Government Advocate for Respondents 1, 2 and 4, and Mr.R.A.Gopinath, learned Standing Counsel for the third respondent.

2. Learned counsel for the petitioners on instructions submits that the petitioners would approach the National Green Tribunal (NGT).

3. In the light of the said statement, the petitioners may avail the remedy as permissible under law. The writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, W.M.P.Nos.2390 and 2391 of 2024 are closed.

W.M.P.No.2389 of 2024 filed to permit the petitioners to file a single writ petition is allowed and disposed of, inasmuch as the petitioners have paid separate court fee.

(S.V.G., CJ.)

(D.B.C., J.)

02.02.2024

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(kst)

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