



W.P.No.6779 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2024

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

W.P.No.6779 of 2021
and
W.M.P. No.7331 of 2021 in W.P. No.6779 of 2021

G.Ravichandran

... Petitioner

VS

- 1.The Collector,
District Collector Office,
Thiruvannamalai – 606 604.
- 2.The Assistant Director,
District Rural Development,
Thiruvannamalai.
- 3.The Revenue Commissioner,
Revenue Commissioner Office,
Thiruvannamalai – 606 604.
- 4.The Block Development Officer,
Block Development Office,
Thandrampattu,
Thiruvannamalai – 606 604.



W.P.No.6779 of 2021

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5.Thasildar,
Thasildar Office,
Thandrapattu,
Thiruvannamalai – 606 604.

6.Saravanan

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus to direct the 1st to 5th respondents to clear all the encroachment in Thondriayan Odai situated in Kilsirupakkam Village, Thandrapet, Thiruvannamalai District and consequently restore the Thondriayan stream.

For Petitioner : Mr.S.Nirmal Aditya

For Respondents : Mr.Vadivelu Deenadayalan,
Additional Government Pleader
for R1 to R5
Mr.V.Rajesh Babu for R6

ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

Read this in conjunction with and in continuation of earlier proceedings made in the listings on 16.03.2021, 21.10.2024 and 07.11.2024 which read as follows:

Page Nos.2/8



W.P.No.6779 of 2021

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PROCEEDINGS DATED 16.03.2021:

'W.P.No.6779 of 2021
and W.M.P.No.7331 of 2021

M.SATHYANARAYANAN, J.,
and
A.A.NAKKIRAN, J.,

[Order of the Court was made by
M.SATHYANARAYANAN, J.,]

The matter in issue pertains to alleged encroachment caused upon the water way in Kilsirupakkam Village, Thandrampet, Thiruvannamalai District, by the private respondent.

2. The learned counsel appearing for the petitioner, on instructions, would submit that the petitioner did not encroach upon any public land / land belongs to the local body or water body and water way and the said submissions on instructions is placed on record.

3. Notice through Court as well as privately to the respondents 4 to 6, returnable on 14.06.2021. Mr.R.Vijayakumar, learned Additional Government Pleader accepts notice on behalf of the respondents 1 to 5.

Call on 14.06.2021.'

PROCEEDINGS DATED 21.10.2024:



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W.P.No.6779 of 2021

'W.P.No.6779 of 2021

THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

*(Order of the court was made by
the Hon'ble Chief Justice)*

Shri V.Rajesh Babu, counsel for respondent No.6, says he has oral instructions that, on 18.10.2024, all such encroachments made by respondent No.6 have been removed.

2. Shri Prabakar is tendering instructions dated 20th October, 2024 received from the Block Development Officer, Thandrampet/respondent No.4, that process for removal of encroachments commenced on 18.10.2024, continued on 19.10.2024 and balance will be completed on 21.10.2024 i.e. today.

3. In view of the instructions dated 20th October, 2024, we direct respondent No.4 to ensure that all encroachments are removed either today or by tomorrow. Respondent No.6 is also directed to fully cooperate with the authorities.

4. Stand over to 24.10.2024 for directions.'

PROCEEDINGS DATED 07.11.2024:

**'W.P. No.6779 of 2021
and**

Page Nos.4/8



W.P.No.6779 of 2021

W.M.P. No.7331 of 2021

**M.SUNDAR,J.,
and
K.RAJASEKAR, J.,**

*(Order of the Court was made
by M.SUNDAR, J.)*

*Mr.S.Nirmal Aditya, learned counsel on record
for petitioner and Mr.Vadivelu Deenadayalan,
learned Additional Government Pleader for R1 to R5
are before us.*

*2. Learned State counsel submits that
proceedings for removal of encroachment have
commenced but learned State counsel requests for
time to get update on the obtaining situation and
file a report.*

3. List a fortnight hence. List on 21.11.2024.'

2. The above proceedings are tell-tale qua the trajectory the matter has taken before this Court thus far. Today, Mr.S.Nirmal Adithya, learned counsel on record for writ petitioner, Mr.Vadivelu Deenadayalan, learned Additional Government Pleader for official respondents (R1 to R5) and Mr.V.Rajesh Babu, learned counsel for R6 are before us. To be noted, learned counsel for R6 is on VC (video conferencing) platform and learned counsel for writ petitioner and



W.P.No.6779 of 2021

learned State counsel for R1 to R5 are before us in physical Court. It is further to be noted, this is a hybrid hearing, which is a regular/routine/daily feature in this Court.

3. The submission that encroachments have since been removed is not subjected to any dispute or contestation. Recording the stated position, captioned WP is disposed of as closed. Consequently, captioned Writ Miscellaneous Petition (WMP) thereat is also disposed of as closed. There shall be no order as to costs.

(M.S.,J.) **(K.R.S.,J.)**
04.12.2024

Index : Yes / No
Neutral Citation : Yes / No
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To

1.The Collector,
District Collector Office,
Thiruvannamalai – 606 604.

2.The Assistant Director,

Page Nos.6/8



W.P.No.6779 of 2021

District Rural Development,
Thiruvannamalai.

- 3.The Revenue Commissioner,
Revenue Commissioner Office,
Thiruvannamalai – 606 604.
- 4.The Block Development Officer,
Block Development Office,
Thandrampattu,
Thiruvannamalai – 606 604.
- 5.The Thasildar,
Thasildar Office,
Thandrampattu,
Thiruvannamalai – 606 604.

**M.SUNDAR, J.,
and
K.RAJASEKAR, J.,**

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W.P.No.6779 of 2021

W.P.No.6779 of 2021

04.12.2024

Page Nos.8/8