



WEB COPY

WP No.7568 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05-02-2024

CORAM

THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

WP No.7568 of 2021

Mr.M.Shiek Dawood

.. Petitioner

-VS-

1.The Executive Engineer,
Public Works Department,
Vennaru Vadinilakottam,
Thiruvarur.

2.The Assistant Executives Engineer,
Public Works Department,
Vennaru Vadinilakottam,
Thiruvarur.

3.The Tahsildar,
Kilvelur Taluk Office,
Kilvelur,
Nagapattinam District.

.. Respondents



Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 08.03.2021 to remove the blockage at water sources as well as drainage channels comprised in Survey Numbers 57/1 and 57/2B situated at Karapidagai North Village, Chandel River or Vedaranyam Channel, Kilvelur Taluk, Nagapattinam District.

For Petitioner : Mr.M.Saravana Kumar

For Respondents-1 and 2: Ms.C.Meera Arumugam,
Additional Government Pleader.

For Respondent-3 : Mr.T.Arunkumaar,
Additional Government Pleader.

ORDER

The relief sought for in the present writ petition is to direct the respondents to consider the representation submitted by the petitioner on 08.03.2021 to remove the blockage at water sources as well as drainage channels comprised in Survey Numbers 57/1 and 57/2B situated at Karapidagai North Village, Chandel River or Vedaranyam Channel, Kilvelur Taluk, Nagapattinam District.



2. The learned Additional Government Pleader appearing on behalf of the respondents 1 and 2 made a submission that actions were initiated pursuant to the representation submitted by the petitioner and blockages were removed, so as to provide free water supply. In this regard, paragraph-4 of the counter affidavit of the respondents, reads as under:-

“4. I state that the third respondent issued Form I notice to this respondent on 03.03.2022, informing that one Mr.Abdul Ajees, who is the absolute owner of adjacent Survey Numbers viz., S.Nos.57/2A, 57/3A, 57/ 4A, 57/5A, 57/6A totally measuring about 1.15.5 hectares had encroached S.No.57/1, measuring 56.5 ares by forming a Prawn Farm (Prawn Culture). I state that immediately after the receipt of Form I, this respondent issued Form III and Form II notice to the said Abdul Ajees, since he did not remove the encroachment, this respondent in the presence of Revenue Officials, removed the encroachment in S.No.57/1 on 25.03.2022.”



3. The learned counsel for the petitioner would submit that the relief to some extent has already been granted and the remaining actions are to be initiated. In this context, the petitioner is at liberty to approach the Authorities for providing further relief, if any, required.

4. With the above observations, the present writ petition stands disposed of. However, there shall be no order as to costs.

05-02-2024

Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

Svn



To

1. The Executive Engineer,
Public Works Department,
Vennaru Vadinilakottam,
Thiruvarur.
2. The Assistant Executives Engineer,
Public Works Department,
Vennaru Vadinilakottam,
Thiruvarur.
3. The Tahsildar,
Kilvelur Taluk Office,
Kilvelur,
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WP No.7568 of 2





WEB COPY



WP No.7568 of 2

S.M.SUBRAMANIAM, J.

Svn

WP 7568 of 2021

05-02-2024