



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13-02-2024

CORAM

**THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM
And
THE HONOURABLE MR. JUSTICE K.RAJASEKAR**

WP No.7485 of 2019

S.Ramasamy

.. Petitioner

-VS-

- 1.The Chief Engineer,
Public Works Department, WRD,
Pollachi Region,
Town Hall,
Coimbatore.
- 2.The Superintending Engineer,
Public Works Department, WRD,
Perambikulam Aliyar Basin Circle,
Pollachi.



3.The Executive Engineer,
Public Works Department, WRD,
Thirumurthy Basin Division,
Udumalpet,
Tiruppur District.

4.The Assistant Executive Engineer,
Public Works Department, WRD,
Trichy Road,
Palladam,
Tiruppur District.

5.The Tahsildar,
Sulur,
Coimbatore District.

6.Nachimuthu

.. 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 1 to 4 to remove the encroachment made by the sixth respondent in PAP Water Canal comprised in Survey No.448, 485 situated at J.Krishnapuram Village, Sulur Taluk, Coimbatore District and to provide free flow of water by considering the representation dated 07.01.2019 and 11.02.2019.

For Petitioner : Mr.P.Dinesh Kumar for
Mr.K.Myilsamy



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For Respondents-1 to 5 : Mr.A.Selvendran,
Special Government Pleader.

For Respondent-6 : Mr.C.E.Pratap

ORDER

[ORDER OF THE COURT WAS MADE

BY S.M.SUBRAMANIAM, J.]

The Writ of Mandamus has been instituted to direct the respondents 1 to 4 to remove the encroachment made by the sixth respondent in PAP Water Canal comprised in Survey No.448, 485 situated at J.Krishnapuram Village, Sulur Taluk, Coimbatore District and to provide free flow of water by considering the representations submitted by the petitioner respective on 07.01.2019 and 11.02.2019.

2. Mr.P.Dinesh Kumar, learned counsel for the petitioner would submit that the sixth respondent has encroached upon the water canal



comprised in Survey Nos.448 and 485 at J.Krishnapuram, Sulur Taluk,
Coimbatore District.

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3. The counter filed by the Executive Engineer, Water Resources Department, Aliyar Basin Division, Pollachi would reveal that there are certain encroachments and the records are verified and further actions are proposed to be initiated.

4. In view of the counter filed by the Executive Engineer, Water Resources Department, Aliyar Basin Division, Pollachi, the respondents are directed to conduct an enquiry with reference to the records available by affording opportunity to all the parties concerned and initiate actions to remove the encroachments and protect the water canals/ Government lands in that locality. The said exercise is directed to be completed within a period of twelve weeks from the date of receipt of a copy of this order.



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

(S.M.SUBRAMANIAM,J.) (K.RAJASEKAR,J.)

13-02-2024

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn

To

- 1.The Chief Engineer,
Public Works Department, WRD,
Pollachi Region,
Town Hall,
Coimbatore.
- 2.The Superintending Engineer,
Public Works Department, WRD,
Perambikulam Aliyar Basin Circle,
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