



WEB COPY



W.P.No.13547 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2024

CORAM:

THE HON'BLE MR.D.KRISHNAKUMAR
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P.No.13547 of 2024

Aalamaram NGO, Reg.No.106/2009.

By its Coordinator,

T.Vembarasi, W/o.Thirumeni,

having Office at Thiyagavalli and Post,

Cuddalore Taluk, Cuddalore-608 601,

residing at 310, Middle Street,

Thenkrishnapuram Village,

Vadakrishnapuram Post,

Bhuvanagiri Taluk, Cuddalore-608 602.

... Petitioner

-VS-

1. The Collector,
Cuddalore District,
Cuddalore-607 001.
2. The Revenue Divisional Officer,
Chidambaram, Chidambaram Taluk,
Cuddalore District.
3. The Revenue Tahsildar,
Bhuvanagiri,
Bhuvanagiri Taluk,
Cuddalore District.



W.P.No.133 of 2021

4. The Block Development Officer,
Bhuvanagiri,
Bhuvanagiri Taluk,
Cuddalore District.

5. Mrs.Thamizhselvi

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing respondents 1 to 4 to remove all encroachments in and around Periakulam Tank in S.No.425/25 in Thenkrishnapuram Village, Bhuvanagiri Taluk, Cuddalore District and to maintain the Tank properly.

For Petitioner : Mr.Gururaj
For Mr.D.Baskar
For R1 to R4 : Mr.Edwin Prabhakar
State Government Pleader

ORDER

(By the Hon'ble Acting Chief Justice)

This Writ Petition has been filed for a direction to the respondents 1 to 4 to remove all encroachments in and around Periakulam Tank in S.No.425/25 in Thenkrishnapuram Village, Bhuvanagiri Taluk, Cuddalore District and to maintain the Tank properly.

2. Mr.Edwin Prabhakar, learned State Government Pleader takes notice for R1 to R4. Notice to R5 is dispensed with, as no adverse order is passed against R5. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.



W.P.No.132 of 2017

3. It is the case of the petitioner that there is a Tank in S.No.245/25 in Then Krishnapuram Village, Bhuvanagiri Taluk, Cuddalore District, which is classified as “Peria Kulam” and there are several encroachments surrounding the pond. It is the grievance of the petitioner that though a representation had been given for removal of the encroachment, no action has been taken so far, except saying that suitable action will be initiated against the encroachers. Hence, the petitioner is before this Court.

4. Learned State Government Pleader, on instructions from R3 / Revenue Tahsildar, assured before this Court that there are some encroachments on the subject matter of the property and necessary action will be taken for removal of those encroachments, by issuing necessary notice to them.

5. In view of the specific statement made by the learned State Government Pleader, we direct the Official Respondents to ensure removal of encroachment from the area in question by following due procedures as contemplated under the relevant Acts, after affording an opportunity of hearing to the parties concerned. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.



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D.KRISHNAKUMAR,ACJ.,

AND

K.KUMARESH BABU,J.,

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6. With the above direction, this Writ Petition is disposed of. No costs.

[D.K.K.,ACJ.]

[K.B.,J.]

23.07.2024

Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order

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To:

1. The Collector,
Cuddalore District,
Cuddalore-607 001.
2. The Revenue Divisional Officer,
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Cuddalore District.
3. The Revenue Tahsildar,
Bhuvanagiri,
Bhuvanagiri Taluk,
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