



WEB COPY



W.P.No.9195 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.No.9195 of 2024

D.Vinayagam

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Puducherry – 605 009.

2.The Commissioner,
Oulgaret Municipality,
Jawhar Nagar,
Puducherry – 605 005.

3.The Tahsildar-cum-Chairman,
Administrative Advisory Committee,
Taluk Office, Oulgaret,
Puducherry.

4.A.Ponnusamy

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to remove the compound wall erected by the 4th respondent illegally encroaching the Government Poramboke Canal lying in S.No.104/6A situated in Oulgaret Revenue Village, Puducherry.

For Petitioner	:	Mr.S.Sudarshan
For R1 to R3	:	Mr.J.Kumaran Additional Government Pleader (Pondicherry)
For R4	:	Mr.K.S.Ilangovan for M/s.Achari & Antoni Associates

ORDER

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

This writ petition is filed for issuance of a Writ of Mandamus directing the 2nd respondent to remove the compound wall erected by the 4th respondent illegally, encroaching the Government Poramboke Canal lying in S.No.104/6A situated in Oulgaret Revenue Village, Puducherry.



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2.It is the case of the petitioner that the 4th respondent has illegally put up a compound wall encroaching into Government Poramboke land. As a matter of fact, the public property is stated to be a land in S.No.104/6A in Oulgaret Revenue Village, Puducherry, which is classified as a Canal (waterbody).

3.Learned counsel appearing for the 4th respondent now states that the compound wall constructed by the 4th respondent has been removed.

4.In view of the submission that the encroachment by the 4th respondent in the Government Poramboke land (canal) in S.No.104/6A had been removed, this Court finds that the prayer in the writ petition has become infructuous. While dismissing this writ petition as infructuous, the respondents are directed not to allow the 4th respondent or anyone to encroach into any waterbody in future. No costs.

(S.S.S.R., J.) (N.S., J.)
12.07.2024



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Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

To

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