



W.P No.9848 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P No.9848 of 2024

K.Jayapriya

...

Petitioner

-VS-

- 1.The District Collector
Salem District, Salem.
- 2.The Chief Engineer
Public Works Department
Cauvery Upper Basin Circle
Trichy District.
- 3.The Assistant Engineer
Public Works Department
Irrigation Division, Pethanaickenpalayam
Salem District.
- 4.The Revenue Divisional Officer
Attur, Salem District.
- 5.The Tahsildar
Pethanaickenpalayam
Salem, Salem District.



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6.The Commissioner
Town Panchayat, Pethanaickenpalayam
Salem District.

7.Muthu

8.Venkatesan

9.Murugan

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 5 to remove the illegal encroachment made by the respondents 7 to 9 in the water body land admeasuring 0.56.0 hectares comprised in S.No.175 and land admeasuring 0.09.5 hectares comprised in S.No.200/1B, Pethanaickenpalayam Village and Taluk, Salem District.

For the Petitioner : Mr.M.Manohar

For the Respondents : Mr.A.Edwin Prabakar,
State Government Pleader
assisted by Mr.T.K.Saravanan
Government Advocate - for R1-R5

Mr.M.Alagu Gowthaman
Government Advocate - for R6

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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.M.Manohar, learned counsel for the petitioner, Mr.A.Edwin Prabakar, learned State Government Pleader assisted by Mr.T.K.Saravanan, learned Government Advocate for the respondents 1 to 5 and Mr.M.Alagu Gowthaman learned Government Advocate for the sixth respondent.



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2. The averment in the writ petition is that the respondents 7 to 9 have made an encroachment on the water body.

3. Learned State Government Pleader submits that Form-I is issued on 13.09.2023 by the Tahsildar to the Block Development Officer and further steps will be taken to remove the encroachment in accordance with law expeditiously.

4. In light of the above, the process to remove the encroachment in accordance with law and observing the principles of natural justice shall commence within three months from today. With the above observation, the writ petition is disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(J.S.N.P., J.)

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Index : Yes/No

Neutral Citation : Yes/No

kst



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THE HON'BLE CHIEF JUSTICE
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J.SATHYA NARAYANA PRASAD, J.

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