



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 04-01-2024

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.No.13043 of 2020

K.Baskar

...

Petitioner

-VS-

- 1.The Government of Tamil Nadu,
rep.by Secretary to Government,
Public Works Department,
Secretariat, Chennai – 600 009.
- 2.The Engineer in Chief,
Water Resources Department,
and Chief Engineer (General),
Public Works Department,
Chepauk,
Chennai – 600 005.
- 3.The District Collector,
Office of the District Collectorate,
Nagapattinam.
- 4.The Revenue Divisional Officer,
Revenue Divisional Office,
Mayiladuthurai,
Nagapattinam.



5.The Tahsildar,
Office of the Tahsildar,
Sirkazhi Taluk,
Nagapattinam.

6.The Superintending Engineer,
Public Works Department,
Lower Cauvery Basin Circle,
Thanjavur.

7.The Executive Engineer,
Water Resources Department/PWD,
Lower Cauvery Basin Circle,
Thanjavur.

8.The Executive Engineer,
Water Resources Department,
Cauvery Basin Sub Division (East),
Mayiladuthurai,
Nagapattinam District.

9.The Assistant Executive Engineer,
Water Resources Department,
Cauvery Basin Sub Division (East),
Sirkazhi,
Nagapattinam District.

10.G.Sankar

11.P.Ramakrishnan

12.M.Parasuraman

13.K.Natarajan

...

Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus directing respondents 1 to 9 to remove the encroachment made by respondents 10 to 13 and further direct respondents 1 to 9 to complete the



strengthening of Kittiyanai Uppanar River Bank Scheme to an extent of 7.100 km by including the uncompleted work of 300 meters by considering the petitioner's representation, dated 14.07.2020.

For Petitioner : Mr.M.R.Kuyilan

For Respondents 1 to 9 : Mr.V.Arun,
Addl. Advocate General,
assisted by
Mr.P.Sathish,
Addl. Government Pleader.

For Respondents 10 to 13 : Mr.S.Sadasharam

ORDER

(By *S.Vaidyanathan,J.*)

Petitioner has come forward with this Writ Petition praying to direct respondents 1 to 9 to remove the encroachment made by respondents 10 to 13 and to further direct respondents 1 to 9 to complete the strengthening of Kittiyanai Uppanar River Bank Scheme to an extent of 7.100 km by including the uncompleted work of 300 meters, by considering his representation, dated 14.07.2020.

2. Mr.V.Arun, learned Additional Advocate General, would submit that the encroachment in question has been removed and affirmed in Paragraph 7 of the counter affidavit of ninth respondent, which reads as under :

"7. It is respectively submitted that this Kittiyanai Uppanar Regulator, the bund strengthening work has been completed for a length of 6850m as per agreement. But the petitioner mentioned the place



“THARGAS THONITHURAI”, where extra 300m of bund strengthening to be done, for which no provision has been made in the sanction Estimate.

The petitioner prayed for formation of additional 300m bund and also to remove the encroachments in the same area. Accordingly, a fund of Rs.10.00 lakhs have been obtained from the Government for formation of River bank and the work was completed after removal of encroachments."

It is further submitted that all the rubble has been removed and the petitioner has confirmed the same.

3. Therefore, nothing survives in this Writ Petition, which is, accordingly, disposed of. No costs.

Index : Yes/No
Internet : Yes/No
dixit

(S.V.N.,J.) (K.R.S.,J.)
04-01-2024

To

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Secretariat, Chennai – 600 009.

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and Chief Engineer (General),
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Mayiladuthurai,
Nagapattinam.

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Office of the Tahsildar,
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9.The Assistant Executive Engineer,
Water Resources Department,
Cauvery Basin Sub Division (East),
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Nagapattinam District.



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