



WEB COPY



W.P.No.13095 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

and

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

W.P.No.13095 of 2024

S.Murugan

.. Petitioner

Vs.

1.The District Collector,
Cuddalore District,
Cuddalore.

2.The Tahsildar,
Panruti Taluk,
Panruti,
Cuddalore District.

3.Natarajan

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing respondents 1 and 2 herein to remove the encroachments caused by the 3rd respondent in the water channel (Vaikkal) situated at Manamthavizhnthaputhur Village,



W.P.No.13095 of 2024

Panruti Taluk, Cuddalore District by considering the petitioner's representation dated 15.05.2023 within a time frame and pass orders.

For Petitioner : Mr.C.Munusamy

For RR 1 & 2 : Mr. C.Kathiravan, Special Govt. Pleader

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.,]

By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This Writ Petition is filed for a direction to respondents 1 & 2 to remove the encroachments in the water channel, caused by the 3rd respondent based on the petitioner's representation dated 15.05.2023.

3.Learned counsel for the petitioner submitted that there is a poramboke land in front of his house, where the rain water used to flow during the rainy days and the petitioner along with other villagers are using the said Poramboke land as common pathway. Under such circumstances, the 3rd respondent encroached the said Government poramboke land and



constructed permanent structure of toilet along with a compound wall.

Hence, the petitioner has given representation on 15.05.2023 to respondents 1 & 2 to remove the encroachments made by the 3rd respondent. Since no action was taken on the said representation, the petitioner has come out with the present Writ Petition.

4.Learned Special Government Pleader appearing for respondents 1 & 2 would submit that the representation dated 15.05.2023 of the petitioner will be considered and necessary orders will be passed within the time frame fixed by this Court.

5. Considering the nature of relief sought for in the Writ Petition, without deciding the issue on merits, respondents 1 & 2 are directed to consider the representation of the petitioner dated 15.05.2023 and pass orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as 3rd respondent, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6.The Writ Petition is disposed of with the above directions. No costs.



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(A.D.J.C.,J.) (R.K.M.,J.)
08.05.2024

Index : Yes / No

Neutral Citation : Yes / No

Speaking / Non-speaking

kj/mmi

To

1.The District Collector,
Cuddalore District,
Cuddalore.

2.The Tahsildar,
Panruti Taluk,
Panruti,
Cuddalore District.



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A.D.JAGADISH CHANDIRA, J.,
and

R.KALAIMATHI, J.,

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