



WP No.26378 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2024

CORAM:

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

AND

THE HONOURABLE MR.JUSTICE P.B. BALAJI

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G.Ramalingam

... Petitioner

versus

- 1.The District Collector,
O/o. District Collector,
Thiruvarur District.
- 2.The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Thiruvarur District.
- 3.The Thasildhar,
O/o.Thiruvarur Thasildhar,
Thiruvarur District.
- 4.The Village Administrative Officer,
O/o.Kunniyur Village Administrative,
Thiruvarur District.



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5.S.Vishwanathan
Aandiyur, Kadiuvankadi,
Thiruneiper, Mangudi Post,
Thiruneipet, Thiruvarur District.

...Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, for the issuance of a writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment dredging the pond in Survey No.122/70 and further directed to remove the encroachment in pathway 122/31, 122/47 at Aandiyur, Kaduvangadu Village, Mangudi Post, Thiruneiper, Thiruvarur Taluk & District in pursuant to petitioner representation dated 26.12.2023 and pass orders.

For the Petitioner :Mr.P.Muthamizhselvakumar

For the Respondents :Mr.M.Habeeb Rahman
Government Advocate

ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition is filed for a direction to the respondents 1 to 4 to remove the encroachment dredging the pond in Survey No.122/70 and further direct to remove the encroachment in pathway 122/31, 122/47 at Aandiyur, Kaduvangadu Village, Mangudi Post, Thiruneiper, Thiruvarur Taluk & District in pursuant to petitioner's representation dated 26.12.2023.



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2. According to the petitioner the property in question is classified as Government Poromboke Kuttai (pond). In the said property there is an encroachment but the respondent authority has not initiated action for removal of the said encroachment. Therefore, the petitioner has made a representation dated 26.12.2023 to the authority concerned for removal of the said encroachment. So far, no action has been taken. Hence, the petitioner has filed the present writ petition.

3. Considering the limited scope of the prayer sought for in the writ petition, without going into the merits of the case, this Court is inclined to the direct the Tahsildar/third respondent to consider the representation dated 26.12.2023 of the petitioner on merits and in accordance with law, and pass orders, as early as possible, within period of twelve weeks, from the date of receipt of a copy of this order, after providing opportunity to the parties concerned.



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4. With the above directions, the writ petition stands disposed of.

There shall be no order as to costs.

(D.K.K., ACJ.) (P.B.B., J.)
12.09.2024

Index : Yes/No
Neutral Citation : Yes/No
mrn

To

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and
P.B. BALAJI, J.

(mrn)

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