



WEB COPY



W.P.No.24

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2024

CORAM:

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

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.No.24054 of 2024

Sengodavel

... Petitioner

-VS-

1. The District Collector,
Kallakurichi District,
Kallakurichi-606 202.
2. The Assistant Director,
(Village Panchayat),
Kallakurichi District.
3. The Block Development Officer,
(Village Panchayat),
Kallakurichi Panchayat Union,
Kallakurichi.
4. The Tahsildar,
Kallakurichi District,
Kallakurichi.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 28.11.2023 and consequently, to direct the respondents to remove the encroachers made encroachment of water body, namely, Pangulam in S.No.15/1, to an extent of 1.62.00 Ares, which comes under the Neelamangal review jurisdiction.



For Petitioner : Ms.S.Nadhiya
For Respondents : Mr.T.K.Saravanan
Govt. Advocate

ORDER

(By the Hon'ble Acting Chief Justice)

This Writ Petition has been filed for a direction to the respondents to consider the representation of the petitioner dated 28.11.2023 with further direction to remove the encroachment made in the water body, namely, Pangulam in S.No.15/1, to an extent of 1.62.00 Ares, which comes under the Neelamangal review jurisdiction.

2. Mr.T.K.Saravanan, learned Government Advocate takes notice for the respondents. By consent of the parties, the Writ Petition itself is taken up for final disposal at the stage of admission.

3. It is the case of the petitioner that alleging that some persons had encroached the water body, situated in S.No.15/1 to an extent of 1.62.00 Ares and constructed a house thereon, he had made a representation dated 28.11.2023 to the authority concerned for removal of such encroachment. Since there was inaction on the part of the respondents to remove the encroachment, the petitioner is before this Court.



W.P.No.24

WEB COPY

4. Learned Government Advocate appearing for the respondents stated that the 4th respondent / Tahsildar is the competent authority to look into the issue and a reasonable time may be granted to the 4th respondent for considering and passing appropriate orders on the representation of the petitioner.

5. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the 4th respondent to consider the representation dated 28.11.2023 of the petitioner and take necessary action by passing appropriate orders thereon on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and other interested parties, if any.

6. With the above direction, this Writ Petition is disposed of. No costs.

[D.K.K.,ACJ.] [P.B.B,J.]
23.08.2024

Index: Yes / No
Internet: Yes / No
Speaking Order/Non Speaking Order
ar



WEB COPY



W.P.No.24054 of 2024

HON'BLE ACTING CHIEF JUSTICE,
AND
P.B.BALAJI,J.,
ar

To:

1. The District Collector,
Kallakurichi District,
Kallakurichi-606 202.
2. The Assistant Director,
(Village Panchayat),
Kallakurichi District.
3. The Block Development Officer,
(Village Panchayat),
Kallakurichi Panchayat Union,
Kallakurichi.
4. The Tahsildar,
Kallakurichi District,
Kallakurichi.

W.P.No.24054 of 2024

23.08.2024