



W.P.No.26977 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2024

CORAM :

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

AND

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

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P.Pinagapani

Vs

.. Petitioner

- 1.State,
rep. by the District Collector,
Thiruvarur District,
Thiruvarur.
- 2.The Tashildar,
Taluk Office,
Mannarkudi Taluk,
Thiruvarur District.
- 3.The Executive Engineer,
Vennaru Irrigation Sub Division No.I,
Water Resource Department,
Mannarkudi,
Thiruvarur District.

- 4.Poonkuzhali
- 5.K.Nedunchezhiyan
- 6.Rajalakshmi
- 7.Kalaiarasan
- 8.Rukkumani
- 9.Puthanselvi

.. Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 3 to evict the encroachment made by respondents 4 to 9 in Branch Water Chanal of Water Chanal No.4 in S.F.No.199/7 and 200/6 situated at Rajasambalpuram, Mannarkudi Taluk, Thiruvarur District by considering the petitioner's representation dated 23.4.2024 and 14.8.2024.

For the Petitioner : Mr.A.R.Suresh

For Respondents : Mr.K.Karthik Jagannath
Government Advocate
for respondents 1 to 3

ORDER

(Order of the Court was made
by the Hon'ble Acting Chief Justice)

Alleging that respondents 4 to 9 have put up encroachments on the water channel situated at S.F.No.199/7 and 200/6 in Rajasambalpuram, Mannarkudi Taluk, Thiruvarur District, the petitioner sent representations to the respondent authorities on 23.4.2024 and 14.8.2024. As the said representations did not evoke any response, the present writ petition is filed.



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2. Learned counsel for the petitioner submitted that, based on the representation of the petitioner, the third respondent had sought the assistance of the second respondent vide communication dated 3.5.2024 for measurement of the writ subject land. He added that, as the second respondent did not render such assistance till date, the encroachments subsist causing undue hardship to the villagers.

3. In the light of the aforesaid submission, we dispose of the writ petition with a direction to the second respondent to render necessary assistance to the third respondent to measure the writ subject lands based on the representations of the petitioner dated 23.4.2024 and 14.8.2024; and also the request of the third respondent dated 3.5.2024. The second and third respondents are directed to conduct a joint survey of the lands in question and thereafter take necessary action in accordance with law, if any encroachments are found, of course after affording an opportunity to all the interested persons, including respondents 4 to 9. The entire exercise shall be concluded within a period of twelve weeks



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from the date of receipt of a copy of this order. There shall be no order as to costs.

(D.K.K., ACJ.) (P.B.B, J.)
13.09.2024

Index : Yes/No
NC : Yes/No
sasi

To:

- 1.The District Collector,
Thiruvarur District,
Thiruvarur.
- 2.The Tashildar,
Taluk Office,
Mannarkudi Taluk,
Thiruvarur District.
- 3.The Executive Engineer,
Vennaru Irrigation Sub Division No.I,
Water Resource Department,
Mannarkudi,
Thiruvarur District.



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

(sasi)

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