



W.P.(MD) No.814 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.814 of 2024

A.Saleem

... Petitioner

Vs.

- 1.The District Collector,
Tenkasi District,
Tenkasi.
- 2.The Special Sub Collector,
District Collector's Office,
Tenkasi,
Tenkasi District.
- 3.The Block Development Officer,
Shenkottai Panchayat Union,
Shenkottai,
Tenkasi District.
- 4.The Tahsildar, Shenkottai Taluk,
Tenkasi District, Tenkasi.



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5.The Assistant Executive Engineer,
Public Works Department /
(Wrd) (Irrigation Section)
Shenkottai,
Tenkasi District.

6.The President, Puliyarai Panchayat,
Puliyarai Post,
Shenkottai Taluk,
Tenkasi District.

7.Subramanian,

8.Jeyarani

9.Parvathi

10.Subathra

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents more particularly the 4th and 6th respondents to remove the encroachments as made by the Respondents 7 to 10 in the water channel in the eastern side of his property between south and north bearing Survey No.289/2C at Puliyarai Village, Shenkottai Taluk, Tenkasi District in pursuance of his representation dated 04.04.2022 forthwith.

For Petitioner : Mr.S.Palanivelayutham

For Respondents : Mr.S.P.Maharajan,
Spl. Govt. Pleader R1, R2, R4 and R5

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ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents more particularly the 4th and 6th respondents to remove the encroachments made by the respondents 7 to 10 in the water channel in the eastern side of his property between south and north bearing Survey No.289/2C at Puliyarai Village, Shenkottai Taluk, Tenkasi District in pursuance of his representation dated 04.04.2022 forthwith.

2. This Writ Petition is taken up for final disposal at the admission stage itself.

3. When the matter was taken up for consideration, the learned Special Government Pleader appearing for the respondents 1, 2, 4 and 5 has produced a written instructions of the fourth respondent, wherein it is stated that necessary action will be taken for removal of encroachment in the property in question.



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4. Recording the same, this Writ Petition is disposed of with a direction to the respondents to take necessary action for removal of encroachment in the property in question after providing opportunity to parties concerned and by following the procedure contemplated under the provisions of the Tamil Nadu Land Encroachment Act, 1905. Such exercise shall be completed as early as possible. There shall be no order as to costs.

vsm

NCC : Yes / No

Index : Yes / No

[D.K.K., J.]

[R.V., J.]

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