



W.P.(MD)No.8909 of 2013 & W.P.(MD)No.484 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.11.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD)No.8909 of 2013

and

W.P.(MD)No.4844 of 2016

and

M.P.(MD)No.1 of 2013

and

W.M.P.(MD)Nos.4358 and 4359 of 2016

W.P.(MD)No.8909 of 2013:-

P.Muthu

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Sivagangai District.

3.The Tashildar,
Sivagangai Taluk,
Sivagangai District.

4.The President,
Arasanur Panchayat,



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Arasanur Village,
Thirumanjolai Post,
Sivagangai Taluk,
Sivagangai District.

5.M.Murugesan,
Ponniah Ramajayam Institute of Science and Technology,
Arasanur Village, Sivagangai Taluk,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the Respondents 1 to 4 take immediate action on the construction of the building and the laying of roads by the 5th respondent in the nanja lands situated in 44, Arasanoor Village, Sivagangai Taluk and District and to restore the channel from Idayankulam Kanmoi to the petitioner's land in Survey Nos.188/11, 193/4, 193/11 in Arasanoor Village, Sivagangai Taluk and District by considering the petitioner's representation dated 26.04.2013.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents : Mr.P.Thilak Kumar,
Government Pleader for R1 to R4.
Mr.M.Saravanar for R5.

W.P.(MD)No.4844 of 2017:-

Tamil Nadu All Peasants Association,
Rep. by its District Secretary,
Rama Murugan.

... Petitioner

Vs.



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3.The Tashildar,
Sivagangai Taluk,
Sivagangai District.

4.The President,
Arasanur Panchayat,
Arasanur Village,
Thirumanjulai Post,
Sivagangai Taluk,
Sivagangai District.

5.The Director of Town and Country Planning,
807, Anna Salai, Chennai.

6.M.Murugesan,
Ponniah Ramajayam Institute of Science and Technology,
Arasanur Village, Sivagangai Taluk,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the proceedings of the Impugned Order in Na.Ka.H2/24558/2013 dated 07.04.14 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents : Mr.P.Thilak Kumar,

Government Pleader for R1 to R5.

Mr.M.Saravanar for R6.



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COMMON ORDER

(Order of the Court was made by M.S.RAMESH,J.)

The grievance of the petitioners is that the private respondent herein had put up certain encroachments which obstructs the flow of water to S.Nos.188/11, 193/4 and 193/11, without any legal right.

2.Today, ie., 06.11.2024, when the matter was called, the District Collector in his status report had stated that the revenue officials had removed the concrete pipe and opened the channel as per the FMB sketch and there is no hindrance to the free flow of water. As such, the grievance of the petitioner has been redressed and hence, no further order is required in these writ petitions. Accordingly, the writ petitions stand dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(M.S.R.,J.) (A.D.M.C.,J.)
06.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
ias



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