



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.1367 of 2024

A.Wins Anto,
Chairman, Project Committee,
Kodayar Basin Irrigation System,
Water Resources Department,
Public Works Department,
Nagercoil

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District, Nagercoil.
2. The Executive Engineer,
Kodayar Basin Division,
Water Resources Department,
Public Works Department, Nagercoil.
3. The Assistant Engineer,
Pattanangal Irrigation Section,
Water Resources Department,
Public Works Department,
Kuzhithurai, Kanyakumari District.
4. The Tahsildar,
Kalkulam Taluk, Thuckalay,
Kanyakumari District.
5. Regu
6. Alwin
7. Rajammal
8. Vasantha



9.The Executive Officer,
Valvachagostam Town Panchayat,
Kunnamparai, Kattathurai Post,
Kanyakumari District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents 1 to 4 to remove the encroachments made by respondents 5 to 9 in the water channel comprised in R.S.No. 506/3 of Maruthoorkurichi village, Kalkulam taluk, Kanyakumari District and restore the same to its original position, pursuant to Form-III notice dated 06.09.2022 issued by the 3rd respondent under Tamilnadu Protection of Tanks and Eviction of Encroachment Rules, 2007.

For Petitioner : Mr.C.T.Perumal
For R-1 to R-3 : Mr.K.Balasubramani,
Special Government Pleader.
For R-9 : Mr.S.P.Maharaja,
Special Government Pleader.

* * *

ORDER

The prayer in the writ petition is for removing the encroachment said to have been committed by respondents 5 to 9.

2. When the matter was taken up for hearing, the learned Special Government Pleader on instructions submitted that steps have already been taken under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act and that in another two months time, the entire matter



would be taken to its logical conclusion.

WEB COPY 3. Recording the said statement of the official respondents, this writ petition stands disposed of. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
15th February 2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. The Executive Engineer,
Kodayar Basin Division,
Water Resources Department,
Public Works Department,
Nagercoil.
3. The Assistant Engineer,
Pattanangal Irrigation Section,
Water Resources Department,
Public Works Department,
Kuzhithurai,
Kanyakumari District.
4. The Executive Officer,
Valvachagostam Town Panchayat,
Kunnamparai, Kattathurai Post,
Kanyakumari District.



WEB COPY



4

W.P.(MD)NO.1367 OF 2024

G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

PMU

W.P.(MD)No.1367 of 2024

15.02.2024



WEB COPY

