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W.P.(MD)NO.7439 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.7439 of 2024

Mathivanan

... Petitioner

Vs.

1. The District Collector,
Pudukottai District,
Pudukottai.
2. The Tahsildar,
Alangudi Taluk,
Pudukottai District.
3. The Executive Engineer,
Public Works Department,
Pudukottai.
4. The Assistant Executive Engineer,
Public Works Department,
Pudukottai.
5. Mayilvaganan
6. Inbaraj
7. Yogeswaran

... Respondents



Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to initiate action for removal of encroachment in survey No.13, 31/2, 33/3 and 35/2 which are water bodies at Vallathirakkottai Village, Alangudi Taluk, Pudukottai District at an earliest.

For Petitioner : Mr.N.Balakrishnan
For R-1 to R-4 : Mr.K.Balasubramani,
Special Government Pleader.
For R-5 to R-7 : No appearance.

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ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for respondents 1 to 4.

2. Service on respondents 5 and 7 has been completed. The sixth respondent could not be served. Notice to the sixth respondent is dispensed with.

3. It is not in dispute that the petition-mentioned survey numbers have been classified as water bodies. The petitioner's only request is that



the encroachment committed in respect of the petition-mentioned water-body(Vallanattu Kanmoi) should be removed. No exception can be taken to the said request. In fact, a communication sent by the Tahsildar, Alangudi to the third respondent bears out the allegations of the petitioner.

4. Taking into account all these aspects, we direct the respondents 1 to 4 to conduct survey of the petition-mentioned water-body and clear the encroachment. The entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order. This writ petition stands allowed on these terms. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
29th August 2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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4

W.P.(MD)NO.7439 OF 2024

G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

PMU

To:

1. The District Collector,
Pudukottai District, Pudukottai.
2. The Tahsildar,
Alangudi Taluk, Pudukottai District.
3. The Executive Engineer,
Public Works Department, Pudukottai.
4. The Assistant Executive Engineer,
Public Works Department, Pudukottai.

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