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W.P.(MD)NO.3463 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.3463 of 2024

C.Balamurugan

... Petitioner

Vs.

1. The District Collector,
Pudukottai District,
Pudukottai.
2. The District Revenue Officer,
Pudukottai District,
Pudukottai.
3. The Tahsildar,
Ponnamaravathi,
Pudukottai District.
4. The Block Development Officer,
Ponnamaravathi Union,
Pudukottai District.
5. Sethuraman Petrol Bunk,
Amarakandan Thenkarai,
Ponnamaravathi,
Pudukottai District.
6. P.L.Singaram
7. S.Gopal
8. Subramanian



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9. Vaithiyanathan

10. Annai Aarus Complex,
Pattamarathan Nagar,
Ponnamaravathi,
Pudukottai District.

11. Jai.Palaniyappan

12. Abdullah

13. Asian Paint,
Pattamarathan Nagar,
Ponnamaravathi,
Pudukottai District.

14. Akila Tiles,
Pattamarathan Nagar,
Ponnamaravathi,
Pudukottai District.

15. Gaadi Mara Aruvai Mill,
Pattamarathan Nagar,
Ponnamaravathi,
Pudukottai District.

16. Thangam Steels,
Opp. Thanneer Pandhal,
Union Office Road,
Ponnamaravathi,
Pudukottai District.

17. Selvam

(R-4 to R-17 are impleaded vide order dated 03.09.2024
in W.M.P.(MD)No.8802 of 2024)

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to



conduct survey and remove all the encroachments made in Thirumakkeni Kanmai situated in S.No.651 of Pon-Merku Village, Thottiyampatti Panchayat, Ponnamaravathi Taluk, Pudukottai District and restore the kanmai to its original position in the larger interest of the farmers and common people based on the petitioner's representation dated 27.10.2023 within the time limit that may be stipulated by this Court for the other facts circumstances of the case.

For Petitioner : Mr.A.S.Vaigunth
For R-1 to R-3 : Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

Issuance of notice to the impleaded respondents is dispensed with.

2. When the matter was taken up for hearing, the learned Special Government Pleader submitted that survey was conducted on 20th August 2024 and that it revealed the existence of encroachments. It appears that there are as many as 31 encroachers. Even their names have been mentioned in the instructions given to the learned Special Government Pleader. It is beyond dispute that the petition mentioned survey numbers have been classified as water bodies. The authorities give a further



undertaking that they will adhere to due process of law and the encroachments will be removed within a period of four months from the date of receipt of a copy of this order.

3. Recording the said undertaking, this writ petition stands allowed. We direct the respondents 3 and 4 to complete the exercise of removal of the encroachments found in the petition-mentioned water bodies within the aforesaid time limit. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)

3rd September 2024

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

To:

1. The District Collector,
Pudukottai District, Pudukottai.
2. The District Revenue Officer,
Pudukottai District, Pudukottai.
3. The Tahsildar,
Ponnamaravathi, Pudukottai District.
4. The Block Development Officer,
Ponnamaravathi Union,
Pudukottai District.



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