



W.P.(MD)No.3269 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 27.02.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.3269 of 2024
and
W.M.P.(MD)No.3226 of 2024

R.Bharathidasan

... Petitioner

Vs.

1.The Commissioner,
Paramakudi Municipality,
Paramakudi,
Ramanathapuram District.

2.The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

3.Selvam

4.The Public Works Department,
(Water Resources Department),
Paramakudi Division,
Ramnad District.
(R4 is suo motu impleaded by this Court
vide order dated 27.02.2024)

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 and 2 to remove the encroachments and illegal occupation made by the 3rd respondents and any



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other individuals in New S.F.No. 7/2 (Old S.F.No. 133/2B) with an extent of 2 Hectares, 34 Ares situated in KattuParamakudi Revenue Group, Block - 36, Ward-G, Paramakudi Town and Taluk, Ramanathapuram district by considering the petitioners representation dated 22.10.2023 within a time that may be stipulated by this Court.

For Petitioner :Mr.R.Venkatesan

For Respondents :Mr.K.Balasubramani,
Special Government Pleader for R1, R2 & R4

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the official respondents. Issuing notice to the third respondent is dispensed with.

2. The petitioner specifically alleges that in the petition mentioned channel, encroachments have been committed. The third respondent is said to be the major encroacher. The allegation made by the petitioner is *prima facie* confirmed by the authorities also. The second respondent is directed to conduct survey. This exercise shall be completed within a period of two months from the date of receipt of a copy of this order. The said survey exercise will reveal if there is any encroachment. If encroachment is noticed, then it is the duty of



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the fourth respondent to take further action for removing the same. The entire exercise shall be completed within a period of four months thereafter. We make it clear that due opportunity should be given to all the encroachers. Due process of law would be fully adhered to.

3. The Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
27.02.2024

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
rmi

To

1.The Commissioner,
Paramakudi Municipality,
Paramakudi,
Ramanathapuram District.

2.The Tahsildar,
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