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W.P.(MD)NO.9084 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.9084 of 2023 and

W,M.P.(MD)No.21094 of 2023

G.Kaliyammal

... Petitioner

Vs.

1. The Principal Secretary to Government,
Revenue Department, Secretariat,
St.George Fort, Chennai.
2. The District Collector,
O/o.the District Collector,
Ramanathapuram District.
3. The Executive Engineer,
PWD, Paramakudi Taluk,
Ramanathapuram District.
4. The Tahsildar,
Taluk Office, Tiruvadanai Taluk,
Ramanathapuram District.
5. The Block Development Officer,
O/o.the Block Development Office,
Thiruvadanai Union Office,
Ramanathapuram District.
6. Asirvatham
7. Santhiyagu
8. John



9. Doss

10. Nagasamy

11. Sornam

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents No.1 to 5 to remove the encroachment made by the respondent No.6 to 11 in Bangala Oorani water body in survey No.409/8 and the geological water channel pass through in Survey Nos.406,407,409 and 412 and consequently direct the respondent to remove the bridge built in Survey No.409/7B and 412/1A instead of construct bridge in between the Survey No.409/8 and 412 in Mangalakudi Revenue Village, Tiruvadani Taluk, Ramanathapuram district by considering the petitioner's representation dated 16.03.2023.

For Petitioner	: Mr.S.Atham Ali
For R-1 to R-5	: Mr.K.Balasubramaniam, Special Government Pleader.
For R-11	: Mr.M.Mohamed Imran
For R-7	: Mr.R.L.Dhilipan Pandian
For R-6 & R-8	: Mr.A.Muralikumar
For R-9	: Mr.S.Balakarthick
For R-10	: No appearance.

* * *

ORDER

Heard both sides.

2. The petitioner has made as many as three prayers. We are not inclined to consider prayer Nos.2 and 3 which are for removal of an



existing bridge and construction of a new bridge. The scope of this writ petition shall be confined to removal of encroachment alone.

3. The learned Special Government Pleader submits that they have identified as many as ten encroachers and that notice under Section 7 of the Tamil Nadu Land Encroachment Act was already issued on 13.10.2023 and final order under Section 6 of the Act was passed on 11.12.2023. Eviction order will be enforced within a period of eight weeks from the date of receipt of a copy of this order.

4. Recording the said submission, this writ petition stands allowed insofar as the relief of removal of encroachment alone. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
14th March 2024

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

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To:

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B.PUGALENDHI, J.

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