



W.P(MD)No.13461 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.07.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.13461 of 2024
and
W.M.P.(MD)No.11873 of 2024

Krishnasamy Thevar

... Petitioner

Vs.

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The Tahsildar,
Manur Taluk,
Tirunelveli District.
- 3.Alagenda Exports,
SF No.581, Sirupuluvapatti,
Periyakadu Thottam,
Tirupur Taluk and District - 641 603,
Represented by its Managing Director.
- 4.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.



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5.The Inspector of Police,
Thevarkulam Police Station,
Thoothukudi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st and 2nd respondents to remove all the encroachments made by the 3rd respondent obstructing the surplus water spilling course of Thadiyampatti Kanmoi towards Nagalapuram Kanmoi in Survey No.10/3 (10/3A, 10/3B and 10/3C) as well as Cart Road in Survey No.10/2 at Thadiyampatti Village, Manur Taluk, Tirunelveli District and restore it to original condition by considering the petitioner's representations dated 30.04.2024 and 11.06.2024.

For Petitioner : Mr.N.Madhava Govindhan

For Respondents : Mr.K.Balasubramani,
Spl. Government Pleader for R1 & R2.
Mr.A.Albert James,
Govt. Advocate (Crl. Side) for R4 & R5.

ORDER

Heard the learned counsel for the petitioner, the learned Special Government Pleader for the official respondents and the learned Government Advocate for the jurisdictional police.



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2.The petitioner wants this Court to direct the District Collector, Tirunelveli to remove the petition mentioned encroachments. On the last occasion, we directed the authorities to conduct spot inspection and file their report.

3.Today, ie., 04.07.2024, the learned Special Government Pleader produced copy of the memorandum dated 24.06.2024 whereby the petitioner has been informed that there is no obstruction caused to the flow of water and that in the event of there arising any encroachment, the same will be dealt with as per law. We are satisfied that no further relief can be granted in this writ petition. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S.J.) & (B.P.J.)
04.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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**G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.**

ias

To:-

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The Tahsildar,
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- 3.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 4.The Inspector of Police,
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