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W.P.(MD)NO.14933 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.14933 of 2023

Sailaja Ravindran

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Nagercoil,
Kanyakumari District.
2. The Executive Engineer,
Water Resource Department,
Nagercoil,
Kanyakumari District.
3. The Sub Collector,
Padmanabapuram,
Kanyakumari District.
4. The Deputy Superintendent of Police,
Takkalai,
Kanyakumari District.
5. The Tahsildar,
O/o.the Thiruvattar Taluk,
Thiruvattar,
Kanyakumari District.



6. The Executive Officer,
Thiruparappu Town Panchayat,
Thumbakodu,
Kanyakumari District.

7. The Taluk Surveyor,
Thiruvattar Taluk,
Kanyakumari District.

8. Melba

9. Jeyachandra Babu

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the seventh respondent to survey the survey No.456/4, Thumbakodu B Village, Thiruvattar Taluk, Kanyakumari District and directing the respondents 1 to 6 to remove the unauthorised encroachments made by respondents 8 and 9 in survey No.456/4, Thumbakodu B Village, Thiruvattar Taluk, Kanyakumari District in the light of the provisions of Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and protect the canal poramboke road based on the petitioner's representation dated 13.06.2023 within the time limit as fixed by this Court.

For Petitioner : Mr.T.Ramasamy

For R-1 to R-3 &
R-5 to R-7 : Mr.K.Balasubramani,
Special Government Pleader.

For R-4 : Mr.P.Kottaisamy,
Government Advocate.

* * *

**ORDER**

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Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the official respondents.

2. It is admitted by the official respondents that Survey No.456/4 Thumbakodu Village, Thiruvattar Taluk is a water body. It appears that the private respondents have encroached upon the same.

3. We direct the second respondent to take appropriate action as per law for removal of encroachment. The entire exercise will be completed within a period of four months from the date of receipt of a copy of this order. This writ petition stands allowed accordingly. No costs.

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

13th December 2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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