



WEB COPY



W.P.(MD)No.18177 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.18177 of 2024

M.Sargurunathan

... Petitioner

-VS-

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Assistant Engineer,
Water Resource Department,
PWD Office, Aranthangi,
Pudukottai District.

3.The Tahsildar,
Aranthangi Taluk,
Pudukottai District.

4.Shanmugam, S/o.Murugaiah Konar

5.Narayanan, S/o.Krishna Konar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 3 to remove the encroachment made by the respondents 4 and 5 in the Alamadai irrigation channel comprised in Survey No.41/17, situated at Kundagavayal Village,



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Aranthangi Taluk, Pudukottai District, by considering the petitioner's representation dated 18.07.2024.

For Petitioner : Mr.T.Lenin Kumar
For R1 to R3 : Mr.S.P.Maharajan
Special Government Pleader

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Heard Mr.T.Lenin Kumar, learned counsel for the petitioner and Mr.S.P.Maharajan, learned Special Government Pleader for the respondents 1 to 3.

2. The claim of the petitioner is that the land in S.No.41/17, situated at Kundagavayal Village, Aranthangi Taluk, Pudukottai District, has been classified as Watercourse and the same has been encroached upon by constructing a decorative arch.

3. Mr.S.P.Maharajan, learned Special Government Pleader appearing for the respondents 1 to 3 has produced a copy of the "A" Register of the Kundagavayal Village, which shows that the land in S.No.41/7 has been classified as "cart track" [வண்டிபாதை].



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4. From the instruction given by the Tahsildar, Aranthangi Taluk, Pudukottai District, the third respondent herein to the learned Special Government Pleader, it is seen that a decorative arch was being put up with the permission of the Government. No case has been made out for encroachment. The Writ Petition is, therefore, dismissed. No costs.

NCC : No
Index : No
Internet : Yes
smn2

[R.S.M., J.] [L.V.G., J.]
05.08.2024

To:

- 1.The District Collector,
Pudukottai District,
Pudukottai.
- 2.The Assistant Engineer,
Water Resource Department,
PWD Office, Aranthangi,
Pudukottai District.
- 3.The Tahsildar,
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