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W.P.(MD)NO.20004 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.20004 of 2023

Nagoor Meerasha

... Petitioner

Vs.

1. The District Collector,
Tirunelveli,
Tirunelveli District.
2. The Sub Collector,
Cheranmahadevi Sub Collector Office,
Tirunelveli District.
3. The Tahsildar,
Taluk Office,
Nanguneri Taluk,
Tirunelveli District.
4. The Assistant Engineer,
Water Resource Department,
Nambiyaru Water Basin,
Nanguneri,
Tirunelveli District.

5. A.S.A.Karunakaran

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to



remove the encroachment made by the fifth respondent in Upparu water channel which is situated in survey No.1393, Kalakadu Part 1, Nanguneri Taluk, Tirunelveli District and preserve the same in the light of the proceedings issued by the fourth respondent vide letter No.Ko. 13.01/U.Po.(Na)/2023 dated 13.06.2023 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Karunanidhi
For R-1 to R-4 : Mr.K.Balasubramani,
Special Government Pleader.

For R-5 : Mr.H.Arumugam

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner alleges that the encroachments have been committed in Upparu water body.

3. When the matter was taken up for hearing, the learned Special Government Pleader submitted that the notice under Section 7 of the Tamil Nadu Land Encroachment Act had already been issued and that they would complete the exercise of removal of encroachments as early as possible.



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4. The fifth respondent can very well respond to the notice issued under Section 7 of the Act and work out his remedy in the manner known to law. We direct that the entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order. This writ petition stands disposed of accordingly. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
3rd September 2024

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



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G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

PMU

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