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W.P.(MD)NO.21139 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.21139 of 2024 AND

W.M.P.(MD)No.17899 of 2024

A.Ravi

... Petitioner

Vs.

1. The Assistant Engineer,
Water Resources Department Irrigation Division,
Perungalur @ Keeranur,
Pudukkottai District.

2. The Tahsildar,
Taluk Office, Kulathur Taluk,
Pudukkottai District.

3. The Revenue Inspector,
Keeranur, Kulathur Taluk,
Pudukkottai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned order of the first respondent dated 08.08.2024 issued Form II Rule 5(3) & III Rule 6(1) of Tamil Nadu Protection of Tanks and Eviction of Encroachments Rules, 2007 for removal of encroachment



within 21 days in SF. No.66/6 situate at Sathinipatti Village, Kulathur Taluk, Pudukkottai District and quash the same.

For Petitioner : Mr.A.Aruljenifer
For Respondents : Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner challenges the Form-III notice issued under Rule 6(1) of Tamil Nadu Protection of Tanks and Eviction of Encroachment Rules, 2007. When the matter was taken up for hearing, the learned Special Government Pleader on written instructions submitted that the encroachments had already been cleared. But then, the petitioner's counsel informed the Court that only 2/3 of the encroachments have been cleared and 1/3 of the encroachment is still remaining intact. The petitioner states that he had mistakenly planted Casuarina trees in the water-body. He wants two months time to cut and remove the same. Two months time is granted from today. The petitioner is directed to file an undertaking affidavit before the first respondent in this regard.



3. With the aforesaid concession to the petitioner, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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

10th September 2024

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

To:

1. The Assistant Engineer,
Water Resources Department Irrigation Division,
Perungalur @ Keeranur,
Pudukkottai District.
2. The Tahsildar,
Taluk Office,
Kulathur Taluk,
Pudukkottai District.
3. The Revenue Inspector,
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4

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5

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