



1

W.P.(MD)NO.20528 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.20528 of 2023

D.Sivagurunathan

... Petitioner

Vs.

1. The District Collector,
Collectorate,
Pudukkottai.
2. The Tahsildar,
Karambakudi Taluk,
Karambakudi,
Pudukkottai District.
3. The Block Development Officer,
Karambakudi Panchayat Union,
Karambakudi,
Pudukkottai District.
4. The President,
Karu.Vadatheru Panchayat,
Vanakkankadu Post,
Karambakudi Taluk,
Pudukkottai District.
5. Charles
6. Ayyadurai Aasari
7. Arputhasamy
8. Anthonysamy

... Respondents



WEB COPY

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to evict the encroachment made by respondents 5 to 8 in Mutuvarakulam, Panaiyakulam and Therkkukanniyankollai Oorani which are in S.F. Nos.151, 185 and 200 respectively situated in Vadatheru Village of Karambakudi Taluk, Pudukkottai District by considering the petitioner's representation dated 01.08.2023.

For Petitioner : Mr.S.Krishnan

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

* * *

ORDER

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

2. Though the writ petition has been filed in respect of three survey numbers, it is clarified that survey No.200 is natham. It is further conceded that S.F.Nos.151 and 185 of Vadatheru Village, Karambakudi Taluk are water bodies. S.F.No.151 tank is coming under the control of



Public Works Department. S.F.No.185/1 comes under the control of Panchayat Union. It is admitted that in both survey numbers, there are encroachments. The petitioner's counsel would claim that in S.F. No.151 road has been illegally laid.

3. Even though the Public Works Department has not been added as a party, we direct the Assistant Executive Engineer, Public Works Department, Pudukkottai Division to take action for removal of encroachment in S.F.No.151. We direct the second respondent to take action for removal of encroachment in S.F.No.151. Notices shall be issued to the encroachers also. 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 disposed of. No costs.

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

13th December 2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

PMU



WEB COPY



To:

1. The District Collector,
Collectorate,
Pudukkottai.
2. The Tahsildar,
Karambakudi Taluk,
Karambakudi,
Pudukkottai District.
3. The Block Development Officer,
Karambakudi Panchayat Union,
Karambakudi,
Pudukkottai District.
4. The President,
Karu. Vadatheru Panchayat,
Vanakkankadu Post,
Karambakudi Taluk,
Pudukkottai District.



WEB COPY



5

W.P.(MD)NO.20528 OF 2023

G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

PMU

W.P.(MD)No.20528 of 2023

13.12.2024



WEB COPY

