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W.P.(MD)NO.27063 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.27063 of 2024

V. Chinnadurai

... Petitioner

Vs.

1. The District Collector/ Monitoring Committee,
Thoothukudi District.
Thoothukudi.
2. The Tahsildar,
Kayathar,
Thoothukudi District.
3. The Block Development Officer,
Ottapidaram Village Panchayat,
Thoothukudi District.
4. The President,
Thennampatti Village Panchayat,
Kayathar Taluk,
Thoothukudi District.
5. R. Muthupandian

... Respondents 1 to 5

Prayer: Writ petition 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 of the Urani land situated in survey Nos.220 and 226/1, Thennampatti Village, Kayathar Taluk, Thoothukudi District by considering the petitioner's representation dated 16.08.2024 within a stipulated time as prescribed by this Court.

For Petitioner : Mr.S.Saravanan
For R-1 & R-2 : Mr.K.Balasubramani,
Special Government Pleader.
For R-3 & R-4 : Mr.A.Baskaran,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for respondents 1 and 2 and the learned Additional Government Pleader appearing for respondents 3 and 4.

2. Issuance of notice to the private respondent is dispensed with.

3. The petitioner alleges that there is encroachment in survey Nos.220 and 226/1, Thennampatti Village, Kayathar Taluk. The learned Special Government Pleader confirmed that both the survey numbers have been classified as water bodies.



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4. We direct the second respondent to issue notice to the fifth respondent and conduct survey. If in the survey exercise it is revealed that the fifth respondent had committed encroachment, then by following due process of law, encroachment will be removed. The entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order. We have not gone into the merits of the matter. With this direction to the second respondent, this writ petition stands disposed of. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
15th November 2024

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

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W.P.(MD)NO.27063 OF 2024

G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

PMU

To:

1. The District Collector/ Monitoring Committee,
Thoothukudi District.
Thoothukudi.
2. The Tahsildar,
Kayathar,
Thoothukudi District.
3. The Block Development Officer,
Ottapidaram Village Panchayat,
Thoothukudi District.
4. The President,
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