



W.P.(MD)No.28082 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 29.11.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.28082 of 2024

P.Backiyam

... Petitioner

Vs.

- 1.The District Collector,
O/o District Collectorate,
Ramanathapuram,
Ramanathapuram District.
- 2.The Sub Collector,
O/o Sub Collector,
Paramakudi,
Ramanathapuram District.
- 3.The Tahsildar,
O/o the Tahsildar,
Paramakudi,
Ramanathapuram District.
- 4.The Block Development Officer,
O/o The Block Development Officer,
Paramakudi,
Ramanathapuram District.
- 5.The President,
Mosukudi Village,
Paramakudi Taluk,
Ramanathapuram District.



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6.Lakshmanan

7.Periyasamy

8.Thanikodi

9.Baskaran

10.Kandavelu

11.Balasubramaniyan

12.Periyasamy

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 3 to 5 to implement the proceedings issued by the second respondent made in Na.Ka.P2/8556/2023, dated 27.10.2023 based on the petitioner's representation dated 04.03.2024 and 08.10.2024 within the time framed stipulated by this Court.

For Petitioner :Mr.A.Balaji

For Respondents :Mr.G.V.Vairam Santhosh
Additional Government Pleader
for R1 to R3
: Mr.T.Amjadkhan
Government Advocat for R4

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the official respondents.



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2. The case of the petitioner is that the Sub Collector, Paramakudi had conducted survey and noticed that as many as 8 persons had committed encroachment in the petition mentioned water body. He issued urgent memorandum dated 27.10.2023 calling upon the police department to grant police protection.

3. All that the petitioner wants is enforcement of the said proceedings. When the authorities themselves are satisfied that the water body has been encroached upon, it is their duty to clear the encroachment. The learned Additional Government Pleader submitted that the encroachers are hailing from the economically disadvantaged community and that therefore, the authorities are considering allotting alternative sites / accommodation. He states that this process may take six months time. We accept the stand taken by the official respondents. We make it clear that the petition mentioned encroachment shall be removed at the end of the six months period.

4. The writ petition is allowed on these terms. No costs.

[G.R.S., J.] [B.P., J.]
29.11.2024

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

B.PUGALENDHI, J.

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