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W.P.(MD)NO.28702 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.28702 of 2024

M.Suganthi

... Petitioner

Vs.

1. The District Collector / Monitoring Committee,
Collectorate,
Thanjavur District.
2. The Revenue Divisional Officer,
Thanjavur,
Thanjavur District.
3. The Tahsildar / Taluk Committee,
Orathanadu Taluk,
Orathanadu,
Thanjavur District.
4. The Executive Engineer,
Public Works Department(WRD),
Orathanadu,
Thanjavur District.
5. The Assistant Engineer,
Water Resources Department,
Kallanai Canal Division No.2,
Orathanadu,
Thanjavur District.
6. R.Santhanam

... 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 5 to conduct survey and remove the encroachment in the distributary and field channels in S.Nos.101, 102, 125 and 126 situated at Neduvakottai Village, Orathanadu Taluk, Thanjavur District based on the petitioner's representation dated 15.07.2024 within a time frame to be fixed by this Court as deem fit and proper.

For Petitioner : Mr.K.K.Senthil
For R-1 to R-5 : Mr.P.T.Thiraviam,
Government Advocate.

* * *

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the official respondents.

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

3. The petitioner makes a specific averment that the through the petition mentioned survey numbers, field channels are flowing. The learned Government Advocate also confirms the said assertion. He states that as per the FMB, the petition mentioned field channels flow through



patta lands. The statutory mandate is that even such a field channel should not be obstructed and free flow of water will be ensured. He further states that when they attempted to conduct survey and remove the encroachments, there was opposition from the pattadars. If so, it is the duty of the official respondents to take aid of the jurisdictional police and see to it the field channels as shown in the FMB are maintained as such. The entire exercise will be completed within a period of three 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.)
6th December 2024

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



4

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G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

PMU

To:

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5

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