



W.P(MD)No.31151 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 19.12.2024

CORAM

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

W.P(MD)No.31151 of 2024

S.Ravichandran

... Petitioner

Vs.

- 1.The District Collector /
Monitoring Committee,
Tenkasi District, Tenkasi.
- 2.The Revenue Divisional Officer,
Sankarankovil,
Tenkasi District.
- 3.The Tahsildar,
Thiruvengadam Taluk,
Tenkasi District.
- 4.The Village Administrative Officer,
Sathirakondan Village,
Thiruvengadam Taluk,
Tenkasi District.
- 5.The District Environmental Engineer,
The Tamil Nadu Pollution Control Board,
Tenkasi District,
Melagaram, Tenkasi.



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6.Mariappan

... Respondents

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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment made by the sixth respondent in the water channel in S.No.510 situated at Chandiragondan Village, Thiruvengadam Taluk, Tenkasi District after properly surveying and ascertaining the accurate portion of encroachment and direct the fifth respondent to take appropriate action restraining the sixth respondent from contaminating the water channel in S.No.510 situated at Chandiragondan Village, Thiruvengadam Taluk, Tenkasi District within a stipulated time fixed by this Court by considering the representation made by the petitioner on 10.09.2024 and 29.11.2024.

For Petitioner : Mr.T.Antony Arulraj

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1 to R.4

ORDER

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 4. Considering the nature of relief to be granted, issuance of notice to the sixth respondent is dispensed with.



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2.The petitioner alleges that the sixth respondent had encroached upon Survey No.510, Chandiragondan Village which has been classified as “water body”. He further alleges that his activities pollute the said water body.

3.The Tahsildar, Thiruvengadam Taluk has confirmed that Survey No. 510 has been classified as “water body” and there is encroachment to an extent of 0.75.00 HAC.

4.We direct the third respondent to issue notice to the sixth respondent and have the said encroachment removed within a period of three months from the date of receipt of a copy of this order. We also direct the fifth respondent to take appropriate action to ensure that the said water body is kept free of pollution by anybody including the sixth respondent.

5.This writ petition is disposed of accordingly. There shall be no order as to costs.

[G.R.S., J.] [B.P., J.]
19.12.2024

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

MGA

To

- 1.The District Collector /
Monitoring Committee,
Tenkasi District,
Tenkasi.
- 2.The Revenue Divisional Officer,
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Tenkasi District.
- 3.The Tahsildar,
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