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W.P. No.6906 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MRS. JUSTICE K. GOVINDARAJAN THILAKAVADI

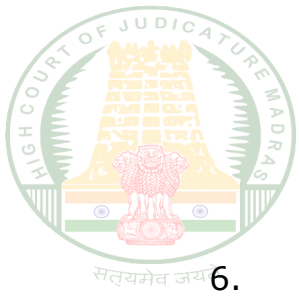
W.P.No.6906 of 2025

M. Rajinikanth

Petitioner

vs.

1. The District Collector
District Collector Office
Tiruvannamalai
2. The Revenue Divisional Officer
Revenue Divisional Office
Arani
Tiruvannamalai
3. The Tahsildar
Taluk Office
Polur
Tiruvannamalai
4. The Assistant Engineer
Water Resources Department
Madhya Pennaiyaru Vadinila Pasana Pirivu
Polur
Tiruvannamalai
5. The Assistant Executive Engineer
PWD – Water Resource Department
Polur
Thiruvannamalai



W.P. No.6906 of 2025

6. Anandhan
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Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 5 to consider the petitioner's representation dated 30.06.2023 and 05.10.2023.

For petitioner Mr. V. Logesh

For RR 1 to 5 Mr. T.K. Saravanan
Additional Government Pleader

ORDER

[made by K. GOVINDARAJAN THILAKAVADI, J.]

This writ petition has been filed seeking a writ of mandamus directing the official respondents (RR 1 to 5) to consider and pass orders on the petitioner's representations dated 30.06.2023 and 05.10.2023 within a time frame.

2. In the aforesaid two representations addressed to the official respondents, it has been stated by the writ petitioner that the sixth respondent and some others have encroached upon the irrigation field of Allinagar Lake in Polur Taluk, Tiruvannamalai District and hence, action may be taken to remove the said encroachment.



W.P. No.6906 of 2025

WEB COPY

3. The case of the writ petitioner is that though more than a year has passed by since his second representation, no action has been taken by the official respondents for removal of encroachment and this has necessitated him to file the captioned writ petition.

4. Issue notice to official respondents (RR 1 to 5).

5. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for official respondents. Adverting to the communication dated 26.07.2023 addressed by R4 (Assistant Engineer, Water Resource Department) to the petitioner, which is enclosed at page no.20 of the typed set of papers, wherein, it is categorically stated that action for removal of encroachment is underway, learned State counsel submitted that survey has been conducted, action is being taken under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 (Tamil Nadu Act 8 of 2007) and the entire exercise will be completed at the earliest. A scanned reproduction of the said communication of R4, for the sake of ready reference, is as follows:

Page Nos.3/6



W.P. No.6906 of 2025

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நீர்வள துறை

அனுப்புநர் :

பொறி.க.செல்வராஜ், பி.இ.,
உதவிப்பொறியாளர், நீவது.,
மத்திய பெண்ணையாறு வடிநில
பாசனப் பிரிவு, போளூர்.

பெறுநர் :

அல்லிநகர் ஏரிப்பாசன விவசாயிகள்,
ம. ரஜினிகாந்த் த/பெ மணி,
6 ஜல்லியன் தெரு,
போளூர் - 606 803
திருவண்ணாமலை மாவட்டம்.
செல். 6382420659

கடித எண்.கோ.28/உ.பொ./போளூர்/2023/நாள்.26.07.2023 /

ஐயா.

பொருள் : திருவண்ணாமலை மாவட்டம், போளூர் வட்டம், அல்லிநகர் ஏரி
கரையில் உள்ள ஆக்கிரமிப்புகளை அகற்ற கோரிய - மனுவிற்கு
பதில் அறிக்கை தெரிவித்தல்.

பார்வை : 1. Zoho Petition Number: 5891347

பார்வையில் காணும் கடிதத்தின் படி திருவண்ணாமலை மாவட்டம், போளூர் வட்டம், போளூர்
அல்லிநகரை சேர்ந்த அல்லிநகர் ஏரிப்பாசன விவசாயிகள் மற்றும் ம. ரஜினிகாந்த் த/பெ
மணி, என்பவர் அல்லிநகர் ஏரி கரையில் உள்ள ஆக்கிரமிப்புகளை அகற்ற கோரியுள்ளீர்கள்.
மேற்கண்ட ஏரி கரையில் உள்ள ஆக்கிரமிப்புகளை அகற்ற நடவடிக்கை மேற்கொள்ளப்பட்டு
வருகிறது என தெரிவித்துக்கொள்ளப்படுகிறது.

உதவிப்பொறியாளர், நீவது.,
பாசனப் பிரிவு,
போளூர்.



W.P. No.6906 of 2025

6. Considering the aforesaid submissions of the learned State counsel, we direct the official respondents to take action in accordance with law, which is applicable for removal of the alleged encroachment, within a period of eight weeks from today, *i.e.*, on or before 25.04.2025, of course, after show causing R6 and any other alleged encroacher/s. It is made clear that the rights and contentions of R6 and any other alleged encroacher/s are preserved when show caused. Since no order is passed adverse to the interest of R6 (private respondent), notice to R6 is dispensed with.

7. With the above direction and observations, this writ petition stands disposed of, however, sans costs.

(M.S., J.) (K.G.T., J.)
28.02.2025

cad
Index : Yes/No
NC : Yes/No



WEB COPY



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M.SUNDAR, J.

and

K. GOVINDARAJAN THILAKAVADI, J.

cad

To:

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District Collector Office
Tiruvannamalai
2. The Revenue Divisional Officer
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Arani
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W.P. No.6906 of 2025

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Page Nos.6/6