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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2025

CORAM

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

W.P(MD)No.93 of 2025
and
W.M.P.(MD)No.84 of 2025

Alagarsamy ... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The District Revenue Officer,
Dindigul District,
Dindigul.

3.The Revenue Divisional Officer,
Dindigul District,
Dindigul.

4.The Tahsildar,
Nilakottai,
Nilakottai Taluk,
Dindigul District.

5.The Village Administrative Officer,
Pachamalaiyankottai Village,
Nilakottai Taluk,
Dindigul District.

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6.Muniamml

7.Vijayabalamurugan

8.Prakash ... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 5 herein to take appropriate action against the respondents 6 to 8 for their illegal encroachment as well as removing the sand without any authority of law in the water channel odai situate in S.No.180/1 situate at Pachamalaiyankottai Village, Nilakkottai Taluk, Dindigul District, by considering the petitioner's representation dated 19.12.2024.

For Petitioner :Mr.A.Saravanan

For Respondents :Mr.P.T.Thiraviam
Government Advocate
for R1 to R5
: Mr.R.R.Kannan for R6 to R8

ORDER

It is beyond dispute that Survey No.180/1, Pachamaliyankottai Village, Nilakkottai Taluk, Dindigul District is a water body.

2. The learned Government Advocate on instructions from the authorities confirms that the water body has been encroached upon by the

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private respondents and that water body has been levelled and onion cultivation is being made.

3. We direct the respondents 1 to 4 to immediately restore the original position. Since levelling has been done and restoring the original position would require cost, it shall be collected from the encroachers. The writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
24.01.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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To
1.The District Collector,
Dindigul District,
Dindigul.

2.The District Revenue Officer,
Dindigul District,
Dindigul.

3.The Revenue Divisional Officer,
Dindigul District,
Dindigul.

4.The Tahsildar,
Nilakottai,
Nilakottai Taluk, Dindigul District.

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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

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5.The Village Administrative Officer,
Pachamalaiyankottai Village,
Nilakottai Taluk,
Dindigul District.

W.P(MD)No.93 of 2025

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