



REV.APLW.(MD)No.17 of 2008

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

REV.APLW.(MD)No.17 of 2008

and

M.P.(MD)No.1 of 2008

Palaniappan

... Petitioner

Vs.

**1.The District Collector,
Karur District.**

**2.Assistant Engineer,
PWD – WRO.,
Irrigation Section, Kulithalai.**

...Respondents

PRAYER: Application filed under Order 47 Rule 1 r/w Section 114 of C.P.C., to review the order dated 17.04.2008 passed in W.P.(MD)No.3627 of 2008 by this Court.

For Petitioner : Mr.K.R.Laxman

**For Respondents : Mr.S.P.Maharajan,
Special Government Pleader**



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ORDER

WEB COPY (Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

This Court has elaborately considered the issues and passed orders on 17.04.2008 in W.P.(MD)No.3627 of 2008, holding that encroachments are made in water body and therefore, the petitioner is not entitled to seek any remedy for conversion of the impugned notice under the Tamil Nadu Land Encroachment Act, 1905 and there is a substantial compliance of provisions of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007.

2.Since this Court has found that the encroachment is in the water body, the authorities competent are bound to remove the encroachment by following the procedures as contemplated under the Act. As far as this petition is concerned, the ground raised by the petitioner on merits deserves no merit for consideration, as this Court has elaborately considered those grounds. Accordingly, this Review Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (A.D.M.C., J.)
17.07.2025

NCC : Yes / No
Index : Yes / No
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AND

DR.A.D.MARIA CLETE, J.

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