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W.P.(MD)NO.2194 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.2194 of 2025

P.Mariyappan

... Petitioner

Vs.

1. The Tamil Nadu State rep. by,
District Collector,
Theni District.

2. The Revenue Divisional Officer,
Uthamapalayam Division,
Theni District.

3. The Tahsildar,
Uthamapalayam Taluk,
Theni District.

4. The Assistant Engineer,
Public Works Department,
Water Resource Management Organization,
Uthamapalayam,
Theni District.

5. The Village Administrative Officer,
Kokilapuram Village,
Uthamapalayam,
Theni District.

... Respondents



Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the entire encroachment in water channel namely “Karungattan Kulam Vaikkal”(Five Hole Vaikkal) in survey No.404 started from Kokilapuram Village to Anaimalaiyanpatti Village, Uthamapalayam Taluk, Theni District based on the petitioner's representation dated 06.11.2024.

For Petitioner : Mr.S.Balaji

For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader.

* * *

ORDER

Heard both sides.

2. The petitioner alleges that there are encroachments in Karungattan Kulam Vaikkaal in survey No.404.

3. The learned Additional Government Pleader does not dispute the character of the property. He states that the authorities will conduct survey after giving notice to all the interested parties within a period of three weeks from the date of receipt of a copy of this order.



4. We direct the official respondents to survey the petition-mentioned land. It is open to the official respondents to take aid of the jurisdictional police if necessary and conduct survey. If the survey reveals any encroachment, it shall be removed by due process of law within a period of four months from the date of receipt of a copy of this order. Notices have to be issued to the encroachers and they shall be provided with due opportunity. With the aforesaid direction, this writ petition stands disposed of. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)

29th January 2025

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



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To:

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Theni District.
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Uthamapalayam Division,
Theni District.
3. The Tahsildar,
Uthamapalayam Taluk,
Theni District.
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5

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6

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