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W.P.(MD)NO.3693 OF 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.3693 of 2020 AND

W.M.P.(MD)Nos.3107& 3108 of 2020

V.Jeyaprakash

... Petitioner

Vs.

1. The District Collector,
Theni District, Theni.
2. The Tahsildar,
Periyakulam Taluk,
Periyakulam,
Theni District.
3. The Revenue Divisional Officer,
Periyakulam Taluk,
Theni District.
4. The District Superintendent of Police,
Periyakulam Taluk, Theni District.
5. The Executive Engineer,
Public Welfare Department,
Manjalar Vadinilai Kottam,
Periyakulam, Theni District.
6. The Assistant Executive Engineer,
Public Welfare Department,
Manjalar Vadinilai Ubakottam,
Periyakulam, Theni District.



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7. The Assistant Engineer,
Public Welfare Department,
Manjalar Vadinilai Ubakottam,
Periyakulam, Theni District.

8. Vaiyazhiraja @ Ramesh

9. Palanisamy

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 7 to remove the encroachment made by respondents 8 and 9 in Vattaru river situated in S.No.3008 Thamaraiikulam pit II, Periyakulam Taluk, Theni District and further restraining the respondents 1 to 7 from constructing check dam without removing the encroachment in Varattaru river in S.No.3008 situated in Thamaraiikulam Pit-II, Periyakulam Taluk, Theni District.

For Petitioner : Mr.R.Maheswaran

For R-1 to R-7 : Mr.A.Kannan,
Additional Government Pleader.

For R-8 : Mr.R.Jothiramulu

* * *

ORDER

Heard both sides.



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2. The petitioner alleges that survey No.3008 Thamaraikulam Pit-II, Periyakulam Taluk is a water body. It is accepted by the respondents. The stand of the private respondents is that he is residing in survey No.3017 which is not connected with the petition mentioned survey number.

3. Be that as it may, we direct the official respondents to issue notice to the private respondents and other encroachers if any, conduct survey and if the encroachments are noticed, then by adhering to due process of law, the encroachments shall be removed. The entire exercise will be completed within a period of four months from the date of receipt of a copy of this order. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
26th March 2025

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

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To:

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Theni District, Theni.
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Periyakulam Taluk,
Periyakulam,
Theni District.
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5. The Executive Engineer,
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Manjalar Vadinilai Kottam,
Periyakulam, Theni District.
6. The Assistant Executive Engineer,
Public Welfare Department,
Manjalar Vadinilai Ubakottam,
Periyakulam,
Theni District.
7. The Assistant Engineer,
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Manjalar Vadinilai Ubakottam,
Periyakulam, Theni District.



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AND

B.PUGALENDHI, J.

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