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W.P.(MD)NO.5066 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.5066 of 2025 AND

W.M.P.(MD)No.3681 of 2025

S.Mahalakshmi

... Petitioner

Vs.

1. The District Collector,
Madurai.
2. The Revenue Divisional Officer,
Usilampatti Division, Madurai.
3. The Tahsildar,
Peraiyur Taluk, Madurai.
4. The Executive Engineer,
Water Resource Department,
Public Works Department,
Usilampatti, Madurai.
5. The Assistant Engineer,
Public Works Department,
Usilampatti, Madurai.
6. The Block Development Officer,
Panchayat Union,
Sedappatti, Madurai.
7. S.Boopathi
8. R.Chellasamy



9. Ramar

10.S.Vellaisamy

... Respondents

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Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 3 to 6 to remove the encroachments in Sangurani Kuttai situated in S.No.94/4 and its feeding channel in S.Nos.96/6, 103, 104, 107 and 108 in Soolappuram Village, Peraiyur Taluk, Madurai District and restore the Kuttai and its feeding channel by dredging it and restore its original capacity based on the representation of the petitioner dated 16.10.2024 and 21.09.2020.

For Petitioner : Mr.K.K.Udayakumar
For R-1 to R-6 : Ms.P.B.Ahamed Yasmin Parvin,
Government Advocate.
For R-7 : Mr.R.Anbu Manikandan
For R-8 to R-10 : No appearance.

* * *

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the official respondents and the learned counsel appearing for the seventh respondent.



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2. It is not in dispute that the petition-mentioned survey numbers have been classified as water bodies. The learned Government Advocate states that survey was conducted and as many as 15 encroachments were noticed. It appears that the petitioner is also one of the encroachers. Notices under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 have already been issued.

3. We direct the third respondent to take the process to its logical conclusion and ensure that all the encroachments are removed within a period of six months from the date of receipt of a copy of this order. This writ petition stands allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
13th March 2025

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



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Usilampatti Division, Madurai.
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5

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AND

B.PUGALENDHI, J.

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13.03.2025



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6

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