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W.P.(MD)NO.4655 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.4655 of 2023

D.Jeyabalan

... Petitioner

Vs.

1. The District Collector,
Theni District.
2. The Revenue Divisional Officer,
Periyakulam,
Theni District.
3. The Tahsildar,
Aundipatti Taluk,
Theni District.
4. The Assistant Executive Engineer,
PWD and Water Resources Organization,
Manjalaru Sub Division Basin,
Old G.H.Road, Theni.
5. The Block Development Officer,
Aundipatti Panchayat Union,
Aundipatti,
Theni District.
6. Chellachamy
7. Jeyabalan



8. Sivakumar
9. Arjunan
10. Jeyaraman
11. Kumar
12. Balu
13. Ashokkumar
14. Prakash
15. Yokkiam
16. Ravi
17. Suresh
18. Pandi

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the third respondent dated 28.12.2022 in Na.Ka.No.6905/2022/A3 quash the same and direct the respondents 1 to 5 to remove the encroachments made by the respondents 6 to 18 in the water course(Odai) in S. No.159/1 and S.No.164/1 corresponding to new S.No.164/1A1 after sub division of Thimmarasanaickanur Bit-I Village, Aundipatti Taluk, Theni District.

For Petitioner : Mr.S.Srinivasa Raghavan
For R-1 to R-5 : Mr.K.Balasubramani,
Special Government Pleader.
For R-6 to R-18 : No appearance.

* * *

**ORDER**

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Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the official respondents.

2. The petitioner alleges that Nilaviyal Odai runs through the petition-mentioned survey numbers and there are encroachments. The Tahsildar, Aundipatti Taluk takes the stand that there are no encroachments in the Nilaviyal Odai. This stand is placed on record. If this turns out to be incorrect and it is established that there are encroachments, the Tahsildar, Aundipatti Taluk will be liable for contempt.

3. With the above observation, this writ petition stands disposed of. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
11th March 2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

PMU

To:

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