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W.P.(MD)NO.2203 OF 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.2203 of 2019

M.Sahathevan

... Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.
2. The Deputy Revenue Officer,
Madurai District,
Madurai.
3. The Revenue Divisional Officer,
Revenue Divisional Office,
Usilampatti,
Madurai District.
4. The Tahsildar,
Usilampatti Taluk,
Madurai District.
5. The Assistant Engineer,
Water Resources Department(Gundaru River Basin),
Usilampatti Taluk,
Madurai District.

(R-5 is *suo motu* impleaded vide order dated 15.04.2025
in W.P.(MD)No.2203 of 2019)

... 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 encroachments made in survey Nos.37-1, 39-5, 40-1, 42-1, 51-3, 52 on Allikundam Village Odai, Usilampatti Taluk, Madurai District based on the representation dated 14.05.2018.

For Petitioner : Mr.S.Chinnaian

For Respondents : Mr.SRA.Ramachandran,
Additional Government Pleader.

* * *

ORDER

Heard both sides.

2. It is not in dispute that the petition mentioned survey numbers have been classified as Odai(channel). The respondents also conceded that there are encroachments in the said Odai.

3. It is the duty of the authorities to ensure that such encroachments are cleared. It appears that the Water Resources Department has to take action.



4. It is submitted that the fifth respondent has recently issued Form-I notice. We direct the fifth respondent to take the process to its logical conclusion. Due process of law will be adhered to. Notices will be issued to all the encroachers. All the encroachments shall be cleared positively within a period of four months from the date of receipt of a copy of this order. This writ petition is allowed accordingly. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
15th April 2025

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

To:

1. The District Collector,
Madurai District, Madurai.
2. The Deputy Revenue Officer,
Madurai District, Madurai.
3. The Revenue Divisional Officer,
Revenue Divisional Office,
Usilampatti, Madurai District.
4. The Tahsildar,
Usilampatti Taluk,
Madurai District.



5. The Assistant Engineer,
Water Resources Department(Gundaru River Basin),
Usilampatti Taluk,
Madurai District.

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G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

PMU

W.P.(MD)No.2203 of 2019



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5

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