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W.P.(MD)NO.12896 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.12896 of 2021 AND

W.M.P.(MD)No.9971 of 2021

Mariyalouis

... Petitioner

Vs.

1. The District Collector,
Karur, Karur District.
2. The Assistant Director of Panchayat,
O/o. The District Collector,
Collectorate, Karur,
Karur District.
3. The Tahsildar,
Kadavur Taluk,
Office at Tharagamptti,
Karur District.
4. The Block Development Officer,
Kadavur Block, Kadavur Taluk,
Karur District.
5. The Village Administrative Officer,
Kalayapatti Village, Kadavur Taluk,
Karur District.
6. The Inspector of Police(Circle),
Velliyanai police station,
Karur District.



7. Jerlin Rosario

8. Selvaraj

9. Vincent

10. Arockiyaraj

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to re-measure the property in S.F.No.217 “Vari Poramboku” situated at Kalayapatti Village, Kadavur Taluk, Karur District and consequently direct the respondents 1 to 5 to preserve the water body by not permitting the respondents 7 to 10 to lay the concrete ramp in S.F.No.217.

For Petitioner : Mr.S.Gokulraj

For R-1 to R-6 : Mr.G.V.Vairam Santhosh,
Additional Government Pleader.

For R-7 to R-10 : Mr.A.Joseph Jerry

* * *

ORDER

Heard both sides.

2. The only request made in this writ petition is that S.F.No.217 Kalayapatti Village should be re-surveyed. There is consensus on either side that such re-survey can very well be conducted.



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3. We direct the third respondent to issue notice to the interested persons and conduct re-survey within a period of four weeks from the date of receipt of a copy of this order.

4. It is not in dispute that S.F.No.217 has been classified as water body. If any encroachment is identified, the same shall be removed after giving notice to the encroachers and giving them opportunity. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
3rd January 2025

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



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To:

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Karur, Karur District.
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O/o. The District Collector,
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B.PUGALENDHI, J.

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