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W.P.(MD)NO.26993 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.26993 of 2024

C.Rajangam

... Petitioner

Vs.

1. The District Collector /The Chairperson,
High Level Monitoring Committee,
Dindigul District.

2. The Tahsildar,
Nilakottai Taluk,
Dindigul District.

3. The Assistant Engineer,
Water Resources Department,
Basin Division, Nilakottai,
Dindigul District.

4. The Executive Officer,
Ammanayakkanur Town Panchayat,
Nilakottai Taluk,
Dindigul District.

5. The Inspector of Police,
Ammayanaickanur police station,
Dindigul District.

6. Sankar @ Jaisankar

7. Selvam

... Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India, issuing a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachment made by the respondents 6 and 7 in Sillodai in survey No.523/7, 525/3 and Car track in survey No.527/9, 561/1 situated in Sadaiyandipuram, Oruthattu Village, Nilakottai Taluk, Dindigul District.

For Petitioner : Mr.R.J.Karthick

For R-1 to R-5 : Mr.N.Ramesh Arumugam,
Government Advocate.

For R-6 : Mr.J.Barathan

* * *

ORDER

Heard both sides.

2. It is not in dispute that survey Nos.523/7 and 525/3 Oruthattu Village are water bodies. Likewise, survey Nos.527/9 and 561/1 are cart tracks. The encroachment either in water bodies or cart track cannot be permitted.



3. The grievance of the petitioner is that the encroachment in the survey numbers were originally removed. The private respondents have once again committed encroachment. This allegation is denied by the learned counsel for the private respondents.

4. We make it clear that for all times to come, all the aforesaid survey numbers shall be kept free of encroachment. If the private respondents herein are found encroaching the same, we make it clear that they will be proceeded against for contempt of Court. It is well settled that any cart track is meant to be used for passage by the general public and it shall not be obstructed by any person. This writ petition is allowed accordingly. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)

24th June 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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