



W.P.(MD)No.30123 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.03.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.30123 of 2024
and
W.M.P.(MD)No.25347 of 2024

Ucchimahali

... Petitioner

Vs.

- 1.The District Collector / Monitoring Committee,
District Collector Office,
Thoothukudi-628 101.
- 2.The Superintending Engineer / NCES,
PQ 23+P8W, Sivanthipatti Road,
Anbunagar Extension,
Thiyagaraja Nagar,
Tirunelveli-627 007.
- 3.The Revenue Divisional Officer,
The Revenue Divisional Office,
Kovilpatti Taluk,
Thoothukudi-628 101.
- 4.The Block Development Officer,
The Rural Development Office,
Kayathar Union,
Kayathar Taluk,
Thoothukudi-628 101.



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5.M/s.Alagendira Solar Energy Private Limited,
No.551, Periya Thootam,
Sirupooluvapatti Post,
Tiruppur,
Tamil Nadu-641 603.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 4 to take necessary steps to remove the encroachment made by the fifth respondent by erecting the electric supply poles in the water bodies namely “Eaha Thondaiman Kulam” (total extent 20 acres) situated in Survey No.217 in South Ilandai Kulam Panchayat, Kayathar Taluk, Thoothukudi District within a period that may be stipulated by this Court.

For Petitioner :Mr.D.Gershon Gnanpaul

For Respondents :Mr.S.R.A.Ramachandran
Additional Government Pleader
for R1, R3 & R4

: Mr.S.Deenadhayalan
for R2

ORDER

Heard both sides.

2. The petitioner alleged that the fifth respondent had illegally erected water poles in the water body. Hence, we granted injunction. We however permitted the fifth respondent to move the District Collector and obtain permission.



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3. It is now stated that the District Collector had issued the proceedings dated 21.03.2025 permitting rejuvenation action taken by the fifth respondent. Penalty has been levied. Certain conditions have also been imposed. Copy of the proceedings have been produced before us. We are satisfied that injunction earlier granted can be vacated. It is accordingly vacated.

4. Recording the subsequent developments, the Writ Petition is closed. No costs. Consequently, connected miscellaneous petition is also closed.

[G.R.S., J.] [B.P., J.]
27.03.2025

NCC : Yes / No

Internet : Yes / No

Index : Yes / No

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NOTE: Issue Order Copy on 28.03.2025

To

1. The District Collector / Monitoring Committee,
District Collector Office,
Thoothukudi-628 101.

2. The Revenue Divisional Officer,
The Revenue Divisional Office,
Kovilpatti Taluk,
Thoothukudi-628 101.



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3.The Block Development Officer,
The Rural Development Office,
Kayathar Union,
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