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W.P.(MD)NO.31261 OF 2024

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.31261 of 2024 AND

W.M.P.(MD)No.26196 of 2024

Devakottai Vattara Neernilai Paadhukappu

Pothunala Sangam,

Rep. by its President,

M.Meyappan,

S/o.S.Meyappan,

No.9, VBS Complex, Silambani North,

Devakottai, Sivagangai District.

... Petitioner

Vs.

1. The District Collector,

Sivagangai District,

Sivagangai.

2. The Divisonal Monitoring Committee,

Rep. By its Chairperson cum Revenue Division Officer,

Sivagangai,

Sivagangai District.

3. The Tahsildar,

Devakottai Taluk,

Sivagangai District.

4. The Block Development Officer,

Kannankudi Panchayat Union,

Devakottai Taluk,

Sivagangai District.



5. RM.Ramasamy

6. R.Kalyani

7. RM.Ramakrishnan

... 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 4 to remove the water body encroachment made by respondents 5 to 7 in survey No.51/3, 52, 53 in Ayankudi Village, Iruvani Vayal Group, Devakottai Taluk, Sivagangai District and encroachments made in Government poramboke lands in S.No.50/1, 54/1, Ayankudi Village, Iruvani Vayal Group, Devakottai Taluk, Sivagangai District within the time frame stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Fazil,
for M/s.Roy and Roy Associates.

For R-1 to R-4 : Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

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

2. Issuance of notice to the private respondents is dispensed with.



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3. The petitioner complains that there are encroachments in survey Nos.50/1, 51/3, 52 and 53. It is not in dispute that survey No.52 has been classified as tank and survey No.53 has been classified as water catchment area. Survey No.51/3 has also been classified as cart track and Oorani. The specific stand of the official respondents is that there are no encroachments in survey No.53 as well as survey No.51/3. It is further undertaken by the official respondents that the encroachments in survey No.52 would be removed by following due process of law within a period of sixteen weeks from the date of receipt of a copy of this order. It is asserted that in respect of the other survey numbers, there are no encroachments.

4. Recording the stand of the learned Special Government Pleader, this writ petition stands disposed of. 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
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G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

PMU

To:

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2. The Divisonal Monitoring Committee,
Rep. by its Chairperson cum Revenue Division Officer,
Sivagangai, Sivagangai District.
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