



WEB COPY



W.P.No.13816 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

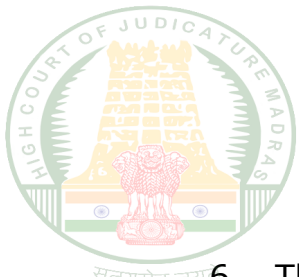
W.P.No.13816 of 2023

D.Boobesh

.. Petitioner

Vs

- 1 The District Collector
District Collector Office
Salem District.
- 2 The District Revenue Officer
Attur, Salem District.
- 3 The Tahsildar
Pethanayankenpalayam Taluk
Attur, Salem District.
- 4 The Block Development Officer
Pethanayakenpalayam Taluk
Attur, Salem District.
- 5 The Assistant Director(Urban)
Assistant Director Office
Attur, Salem District.



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6 The Village Administrative Officer
Eetthapur, Pethanaykenpalayam Taluk
Attur, Salem District.

7 Krishnamoorthy

8 Palanimurugan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 6 to remove the encroachment on water body (Odai) comprised in Survey Nos.149/1D, 1C, 1B and 3, Eetthapur Village, Pethanayakenpalayam Taluk, Attur, Salem District, made by respondents 7 and 8 based on the representation of the petitioner dated 20.3.2023.

For the Petitioner : Mr.S.Syed Mazhar Hayath

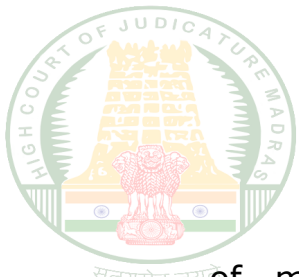
For the Respondents : Mr.J.Ravindran
Additional Advocate General
assisted by
Mr.A.Selvendran
Special Government Pleader
for respondents 1 to 3, 5 & 6

: Mr.P.Muthukumar
State Government Pleader
for 4th respondent

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

D.Boobesh, son of Duraisamy, a resident of Eetthapur Villgae,
Salem District, has filed this writ petition seeking issuance of a writ



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of mandamus directing respondents 1 to 6 to remove the encroachments made by respondents 7 and 8 on the land classified as waterbody (Odai) comprised in Survey Nos.149/1D, 1C, 1B and 3, Eethapur Village, Pethanayakenpalayam Taluk, Attur, Salem District, based on the representation of the petitioner dated 20.3.2023.

2. Mr.P.Muthukumar, learned State Government Pleader appearing on behalf of the fourth respondent, producing a copy of the 'A' Register, submitted that the lands comprised in Survey Nos.149/1D, 1C and 1B are patta lands and patta stands in the name of one Periyasamy. He further submitted that a part of the land comprised in 149/3 is classified as "Odai" and, if four weeks' time is granted, the respondent authorities will conduct a survey and thereafter remove the encroachments.

3. Recording the aforesaid submission made by learned State Government Pleader, the writ petition is disposed of with a direction to the respondent authorities to conduct a survey of the land



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comprised in S.F.No.149/3 with the assistance of the jurisdictional Surveyor and, if any encroachment is found, the same shall be removed after notice to the encroachers. The entire exercise is to be completed within a period of four weeks from the date of receipt of a copy of this order. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
28.04.2023

Index : No
Neutral Citation : No
sasi



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(sasi)

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