

But in our considered opinion since these persons encroached upon the water bodies, therefore, they should be evicted therefrom so as to make the water body free with a request to the State Government to rehabilitate them in an appropriate place, if possible as expeditiously as possible.

Counsel appearing for the State states that he has filed an affidavit in that regard which is directed to be placed on record. Affidavit would be looked into on the next date and effective orders shall be passed in respect to those 138 persons.

Additional documents, if any, could be filed by the counsel appearing for the State of Tamil Nadu.

Yet there is another portion of land which is stated to have been encroached upon by 341 people . There is an application filed on behalf of those 341 people, residents of Anna Colony, for their impleadment. According to them, they have not encroached upon any water body rather it is the petitioners who are such encroachers. This matter will have to be looked into and heard.

Therefore, we direct that the entire matter to be listed for consideration on 19.10.2011.

(NAVEEN KUMAR)
COURT MASTER

(RENU DIWAN)
COURT MASTER

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ITEM NO.4

COURT NO.11

SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).20061-20062/2008

(From the judgement and order dated 29/04/2008 in WP No.16636/1995 , WP No.22274/2007 of The HIGH COURT OF MADRAS)

SIVAKASI REGION TAX PAYERS ASSN.

Petitioner(s)

VERSUS

STATE OF T.NADU & ORS.

Respondent(s)

(With appln(s) for impleadment, and prayer for interim relief and office report)

Date: 07/09/2011 These Petitions were called on for hearing today.

CORAM : HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Mr. V. Krishnamurthy, Sr. Adv.
 Mr.Senthil Jagadeesan, Adv.
 Mr. Shantharam Natrajan, Adv.
 Mr. L. G. Shahdevan, Adv.
 Mr. V. Vasudevan, Adv.

For Respondent(s) Mr. P.R. Kovilan, Adv.
 Mr. R.V. Kameshwaran ,Adv

 Mr. Gurukrishnakumar, AAG
 Mr. B. Balaji, Adv.

 Mr. Subramonium Prasad,Adv.

 Mr. R. Ayyam Perumal ,Adv

 Mr. Gautam Narayan ,Adv

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UPON hearing counsel the Court made the following
O R D E R

The counsel appearing for the State of Tamil Nadu states that so far 138 encroachers of Siru Kulam (now Periyar Nagar) is concerned, they have taken a policy decision to get them evicted from there and to get them rehabilitated in an appropriate place after identifying a piece of land for their rehabilitation.

We

are prepared to give them some time for the aforesaid purpose.

But in our considered opinion since these persons encroached

upon the water bodies, therefore, they should be evicted

therefrom so as to make the water body free with a request to

the State Government to rehabilitate them in an appropriate

place, if possible as expeditiously as possible.

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an affidavit in that regard which is directed to be placed on record. Affidavit would be looked into on the next date and effective orders shall be passed in respect to those 138 persons.

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