



W.P.(MD) No.1952 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.1952 of 2026

D.Durai Vasudevan

... Petitioner

Vs.

1.The Tashildar,
Tahsildar Office,
Melur, Madurai District.

2.The Taluk Surveyor,
Melur Taluk,
Madurai District.

3.The Executive Engineer,
Periyar Main Canal Division,
Melur, Madurai District.

4.Sekar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the first to third respondents to survey the Periyar Main Water Channel in Land in Survey No.198 at Navinipatti, Melur Taluk, Madurai District and to restore and ensure the free flow of water in the Periyar Water Canal in 12th Section and 17th and



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18th water sluice/madai by considering the petitioner's representation dated 25.04.2025 within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.M.Jegadeeh Pandian

For R1 to R3 : Mr.R.Ragavendran
Government Advocate

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the first to third respondents to survey the Periyar Main Water Channel situated in Survey No.198 at Navinipatti, Melur Taluk, Madurai District and to restore and ensure the free flow of water in the said canal through the 12th Section as well as the 17th and 18th water sluices (madai), by considering the petitioner's representation dated 25.04.2025, within such time as may be stipulated by this Court.

2. With the consent of the parties, this Writ Petition is taken up for final disposal at the admission stage itself, dispensing with the notice to the fourth respondent, as no adverse orders are proposed to be passed against him.



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3. The learned counsel appearing for the petitioner would submit that the petitioner depends upon the Periyar Main Water Channel for the purpose of agriculture; that however, the fourth respondent has encroached upon the same by putting up a mud road; that therefore, the petitioner submitted a representation dated 25.04.2025 seeking a survey of the Periyar Main Water Channel and restoration of the free flow of water in the said canal through the 12th Section as well as the 17th and 18th water sluices (madai); and that since no action has been taken thereon, the petitioner has been constrained to file the present Writ Petition.

4. The learned Government Advocate appearing for the first to third respondents, on instructions, would submit that after considering the claims of the parties, appropriate steps would be taken to survey the land in question in accordance with Sections 9 and 10 of the Tamil Nadu Land Survey and Boundaries Act, 1923 and that only thereafter, further appropriate action would be taken.

5. Recording the aforesaid submissions, this Court directs the first to third respondents to consider the petitioner's representation dated 25.04.2025, survey the Periyar Main Water Channel after considering the



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claims of all parties, including the fourth respondent and pass orders in accordance with Sections 9 and 10 of the Tamil Nadu Land Survey and Boundaries Act, 1923, within a period of sixteen weeks from the date of receipt of a copy of this order and thereafter take appropriate action. In the event of any civil dispute, the parties are at liberty to pursue their remedies before the competent Civil Court. It is needless to state that, before surveying the land, notice shall be issued to the adjacent landowners and other interested parties.

6. With the above directions, this Writ Petition stands disposed of.
There shall be no order as to costs.

[K.SURENDER, J.]
28.01.2026

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Index : Yes / No

Neutral Citation : Yes / No

To

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Madurai District.



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3.The Executive Engineer,
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