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W.P.(MD)NO.13647 OF 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2026

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.13647 of 2019 AND

W.M.P.(MD)Nos.10218 & 10219 of 2019

Baburaja @ Maruthappa Pandian,
S/o.S.M.Pandian,
Hereditary Trustee of
Sri Navaneetha Krishnasamy Thirukoil,
Aranmanai Street,
Tirunelveli District.

... Petitioner

Vs.

1. The State of Tamil Nadu,
Through Secretary(Revenue),
Fort St. George, Chennai.
2. The District Collector,
Tirunelveli District,
Tirunelveli.
3. The Tahsildar,
Veerakeralamputhur,
Tirunelveli District.
4. The Assistant Engineer(PWD),
Water Resources Organization,
Chittar Basin, Pavor Chathiram,
Tirunelveli District.
5. K.Subbaiah Pandian
6. Rajasekaran

... Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India, issuing a Writ of Certiorarified Mandamus, calling for the records relating to the impugned notice in கோ. 5/2019/உ.பொ.(ப) dated 28.05.2019 which was received by the petitioner on 31.05.2019 issued by the fourth respondent and quash the same and further direct the respondents 1 to 4 not to disturb the heritage superstructure built over Veeranam Canal in S.No.268/1 connecting the petitioner's palace on either side of it in S.No.268/2 and 256/4, Veerakeralamputhur Village, Tirunelveli District.

For Petitioner : Mr.T.S.R.Venkataramana,
Senior counsel,
for Mr.S.Prithiviraj.

For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader
for R-1 to R-4.

Mrs.P.Kalaiyarasi Bharathi

* * *

ORDER

Heard the learned Senior counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for respondents 1 to 4 and the learned counsel appearing for the fifth respondent.



2. Pursuant to the order dated 01.10.2015 made in W.P. (MD)No.18950 of 2014 filed by the fifth respondent, the impugned notice came to be issued. The impugned notice states that some of the petition mentioned constructions are encroachments. The learned Additional Government Pleader produced photographs which indicate that they are very old structures.

3. The learned Additional Government Pleader now states that as a result of the said constructions, there is no obstruction to the free flow of water. Paragraph No.3 of the communication dated 29.01.2026 sent by the Assistant Engineer, Sitraru Basin, Pavor Chathiram reads as follows:-

“மேலும் வீராணம் கால்வாயின் மூலம் வீராணம் பெரியகுளம், நானூற்று வென்றான்குளம், கிடார்க்குளம் மற்றும் காசிக்கவைத்தான்குளங்கள் பாசனவசதி பெறுகின்றன. மேற்படி வாய்கால் மேல் உள்ள நடைபாதையால் கால்வாயில் செல்லும் தண்ணீருக்கு எவ்விதமான பாதிப்பும் இல்லை, இக்கால்வாயின் மூலம் தண்ணீர் சென்று சராசரி மழைப்பொழிவு உள்ள காலங்களிலும் மேற்கண்ட நான்கு குளங்களும் முழுமையான கொள்ளளவினை பெற்று வருகிறது என்ற அறிக்கை



பணிந்து சமர்ப்பிக்கப்படுகிறது.”

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4. In view of the same, the impugned notice is quashed. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
29.01.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU

To:

1. The Secretary(Revenue),
Fort St. George, Chennai.
2. The District Collector,
Tirunelveli District,
Tirunelveli.
3. The Tahsildar,
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