



W.P.No.25844 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.No.25844 of 2023

S.Palanisamy

.. Petitioner

Vs.

1. The District Collector
Tiruppur District, Tiruppur.
2. The Tahsildar
Uthukuli Taluk, Tiruppur District.
3. The Block Development Officer
Uthukuli R.S., Uthukuli Taluk
Tiruppur District.
4. The Executive Engineer
Public Works Department
Water Resource Organisation
Gobichettipalayam.
5. The Village Panchayat President
Sengalipalayam Village
Uthukuli Taluk, Tiruppur District.

6. Vikash Agarwal

.. Respondents

Page 1 of 5



W.P.No.25844 of 2023

WEB COPY

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the first respondent to issue suitable administrative order so as to protect and preserve the existing water resource for hundred years namely, the Pond situated at Survey nos.148/3 and 148/4, Sengalipalayam Village, Uthukuli Taluk, Tiruppur District.

For the Petitioner : Mr.C.Munusamy

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for Respondents 1 to 5

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.C.Munusamy, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader for the respondents 1 to 5.

2. According to learned counsel for the petitioner, the land in S.Nos.148/3 and 148/4 Sengalipalayam Village is a pond. Encroachment exists in the said pond.

3. Learned State Government Pleader submits that S.No.148/3



W.P.No.25844 of 2023

WEB COPY

and 148/4 are patta lands. Patta has been issued in favour of the individuals.

4. According to learned counsel for the petitioner, the lands are required to be re-classified.

5. The petitioner will have to avail appropriate remedy under the statute. If patta is to be challenged, the procedure is prescribed under the Patta Passbook Act. The form is also provided. So also, with regard to re-classification, the petitioner may take appropriate steps.

6. With these observations, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.25289 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No
Neutral Citation : Yes/No
kpl



W.P.No.25844 of 2023

WEB COPY

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W.P.No.25844 of 2023

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(kpl)

W.P.No.25844 of 2023

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