



*W.P.(MD)No.8140 of 2023*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED: 07.07.2023

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**  
and  
**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.8140 of 2023  
and  
W.M.P.(MD)Nos.7530 & 7531 of 2023

1.S.Muthumari

2.Nagammal

3.Jayarani

4.K.Murugan

5.M.Sabarimani

6.Meena

7.Maheswari

8.Lakshmi

9.Mariammal

... Petitioners

Vs.

1.The Secretary to Government,  
Revenue and Disaster Management Department,  
Fort St.George, Chennai.



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2.The Secretary to Government,  
Adi Dravidar and Tribal Welfare Department,  
Fort St.George, Chennai.

3.The District Collector,  
Theni District,  
Theni.

4.The Executive Engineer,  
Water Resource Organization,  
Public Works Department,  
Manjalaru Irrigation Division,  
Periakulam, Theni.

5.The Assistant Engineer,  
Public Works Department,  
Water Resource Organization,  
(Irrigation Division) Theni.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to regularize the petitioners' possession and enjoyment of the residential huts available in T.S.No. 56 Ward E, Block 10, Allingaram Municipality, Theni by assigning Patta as per Revenue Standing order No. 16 or any other orders considering the abandonment of Canal or in the alternative direct the respondents to provide alternate shelter to the petitioners under the Directive Principles of State Policy.

For Petitioners :Mr.H.Arumugam

For Respondents :Mr.Satheesh Kumar  
Additional Government Pleader



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**ORDER**

Heard the learned counsel on either side.

2. The petitioners herein are in occupation of the water body known as rajavaikal. Request for regularizing their possession cannot be granted. However, there is an alternative writ prayer. The petitioners want some other site to be provided.

3.The petitioners are permitted to submit a representation before the third respondent. The third respondent is directed to consider the petitioner's representation for allotment of alternative site. If the petitioners are eligible, the third respondent shall pass appropriate order on merits and in accordance with law within a period of twelve weeks after receipt of the same.

4. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

**[G.R.S., J.] [B.P., J.]**  
**07.07.2023**

NCC : Yes / No  
Internet : Yes / No  
Index : Yes / No  
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**G.R.SWAMINATHAN, J**

and

**B.PUGALENDHI, J.**

rmi

To

- 1.The Secretary to Government,  
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