



W.P(MD)No.3774 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 20.02.2024

CORAM

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

W.P(MD)No.3774 of 2024

Chidambaram

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Pudukottai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Pudukottai District.

3.The Tahsildar,
Ponnamaravathi Taluk,
Pudukottai District.

4.The Block Development Officer,
Block Development Office,
Ponnamaravathi.

5.Valliammai

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the



W.P(MD)No.3774 of 2024

Respondents Nos.1 to 4 to remove the water body encroachment of fencing made by the 5th Respondent after conducting proper survey as per law in old Survey No.366 (New Sub divisions as 366/1 to an extent of 0.37.00 Hectare as Water Channel, Survey No.366/2 to an extent of 0.02.00 hectare as Water Oorani, Survey No.366/3 to an extent of 0.94.50 Hectare as Water Oorani, and Survey No.366/4 to an extent of 0.96.00 hectare at Temple Government Poromboke land in Ponnamaravathi west Revenue Village, Ponnamaravathi taluk, Pudukottai district based on the petitioner's representation on 24.01.2024 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Senthilkumar

For Respondents : Mr.V.Nirmal Kumar,
Government Advocate for R1 to R3.
Mrs.D.Farjana Ghoushia,
Spl. Government Pleader for R4.

ORDER

Heard the learned counsel for the petitioner, the learned Government Advocate for the respondents 1 to 3 and the learned Special Government Pleader for the fourth respondent. Issuance of notice to the fifth respondent is dispensed with.



W.P(MD)No.3774 of 2024

2.The petitioner seeks removal of the encroachments committed in respect of the petition mentioned water body.

3.The learned Government Advocate confirms the statement of the petitioner that the petition mentioned survey numbers have been classified as water body in the revenue records. The third respondent undertakes to conduct survey in respect of the said survey numbers. The third respondent will issue notice to the other interested persons. In other words, survey shall be preceded by issuance of notice. If at the end of survey exercise, it is noted that there are encroachments in the water body, the same shall be removed by adhering to due process of law. The entire exercise shall be completed within a period of five months from the date of receipt of a copy of this order. The direction given in the writ petition is confined to water body alone.

4.This writ petition is disposed of accordingly. No costs.

(G.R.S.J.) & (B.P.J.)
20.02.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

3/4



W.P(MD)No.3774 of 2024

**G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.**

ias

To:-

- 1.The District Collector,
District Collector Office,
Pudukottai District.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Pudukottai District.
- 3.The Tahsildar,
Ponnamaravathi Taluk,
Pudukottai District.
- 4.The Block Development Officer,
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