



**W.P(MD)No.15093 of 2023**

**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.15093 of 2023**

C.Pramaiya

... Petitioner

Vs.

- 1.The District Collector,  
Collectorate,  
Pudukottai District.
- 2.The Revenue Divisional Officer,  
Pudukottai,  
Pudukottai District.
- 3.The Tahsildar,  
Thirumayam Taluk,  
Thirumayam,  
Pudukottai District.
- 4.The Village Administrative Officer,  
Thekkatur Revenue Village,  
Namanasamuthiram Post,  
Thirumayam Taluk,  
Pudukottai District.
- 5.Karuppaiah @ Kattu Karupaaiah

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment made by the fifth respondent in Survey Number 963/10 at Keelathemuthupatti Village, Thekkattur Revenue Tahsil, Thirumayam Taluk, Pudukkottai District and restore the Channel.

For Petitioner : Mr.K.C.Maniyarasu

For Respondents : Mr.K.Balasubramani  
Special Government Pleader  
for R.1 to R.4

Mr.K.G.Arunkumar for R.5

### **ORDER**

Heard both sides.

2.The petitioner alleges that the fifth respondent has encroached on a water body and that the encroachment should be removed.

3.When the matter was taken for hearing, the learned Special Government Pleader submitted that the fifth respondent had already suffered final order under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. Questioning the same, he filed an appeal. The appeal was also dismissed. Now the fifth respondent filed revision (Revision No: E1125/2024) before the



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Secretary to Government, Revenue and Disaster Management Department,  
Government of Tamil Nadu, Chennai.

4.The Government is directed to dispose of the revision (Revision No: E1125/2024) filed by the fifth respondent on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order. If the fifth respondent's revision petition is dismissed, then immediate action shall be taken by the third respondent for removal of the encroachment.

5.This writ petition is disposed of accordingly. There shall be no order as to costs.

**[G.R.S., J.]      [B.P., J.]**  
**20.02.2024**

NCC : Yes / No  
Internet : Yes / No  
Index : Yes / No  
MGA

To

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Pudukottai District.



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**and**

**B.PUGALENDHI, J.**

MGA

3.The Tahsildar,  
Thirumayam Taluk,  
Thirumayam,  
Pudukottai District.

4.The Village Administrative Officer,  
Thekkatur Revenue Village,  
Namanasamuthiram Post,  
Thirumayam Taluk,  
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