



C.R.P.(MD)No.2135 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 16.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.2135 of 2024

Kasirajan

... Petitioner / 1st Defendant

Vs.

1.Rengarajan

... 1st Respondent / Plaintiff

2.The President,
Mathur Panchayat,
Viralimalai Panchayat Union,
Mathur Post, Kulathur Taluk,
Pudukkottai District.

3.The Block Development Officer,
Village and Panchayat,
Viralimalai Panchayat Union,
Viralimalai Post and Taluk,
Pudukkottai District.

4.The Village Administrative Officer,
Office of the Village Administrative Officer,
Mathur Post, Kulathur Taluk,
Pudukkottai District.

5.The Tahsildar, Taluk Office,
Keeranur Post, Kulathur Post,
Kulathur Taluk, Pudukkottai District.

6.The District Collector,
Office of the District Collector,
Pudukkottai Taluk and District.

... Respondents 2 to 6 / Defendants 2 to 6



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Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to strike off the plaint filed by the 1st respondent / plaintiff in O.S.No.125 of 2023 on the file of the Sub Court, Keeranur.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.G.Mathavan for R1
Mr.K.Balasubramani,
Spl. Government Pleader for R2 to R6.

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ORDER

Heard both sides.

2.Even before commencement of the argument, the learned counsel for the plaintiff pointed out that the petitioner herein is being selectively targeted. He alleges that a school has also been constructed in the petition mentioned water body and that it is being spared by the revision petitioner herein. Thereupon, the learned counsel for the revision petitioner on instructions submits that he would file a proper writ petition against the school concerned also. The said undertaking is recorded.

3.O.S.No.125 of 2023 has been filed before the Sub Court, Keeranur for the relief of declaration and permanent injunction. The suit schedule property



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is admittedly a water body. It is well settled that no private individual can lay any claim on a public water source.

4.In this view of the matter, the impugned suit is struck off from the file of the Court below. The civil revision petition is allowed. No costs.

16.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

- 1.The Sub Court,
Keeranur.
- 2.The President,
Mathur Panchayat,
Viralimalai Panchayat Union,
Mathur Post, Kulathur Taluk,
Pudukkottai District.
- 3.The Block Development Officer,
Village and Panchayat,
Viralimalai Panchayat Union,
Viralimalai Post and Taluk,
Pudukkottai District.
- 4.The Village Administrative Officer,
Office of the Village Administrative Officer,
Mathur Post, Kulathur Taluk,
Pudukkottai District.



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G.R.SWAMINATHAN, J.

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5.The Tahsildar, Taluk Office,
Keeranur Post, Kulathur Post,
Kulathur Taluk, Pudukkottai District.

6.The District Collector,
Office of the District Collector,
Pudukkottai Taluk and District.

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