



**W.P (MD).No.30579 of 2024**

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

**DATED: 18.12.2024**

**CORAM**

**THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN****

**W.P (MD).No.30579 of 2024**

**and**

**W.M.P(MD)No.25678 of 2024**

**N.Alaga Thevar**

**...Petitioner**

**Vs.**

- 1.The Revenue Divisional Officer,  
Usilampatti,  
Madurai District.**
- 2.The Tahsildar,  
Usilampatti Taluk,  
Usilampatti,  
Madurai District.**
- 3.The Block Development Officer,  
Nadupatti Village Panchayat,  
Usilampatti Taluk,  
Madurai District.**
- 4.The Revenue Inspector,  
Uthappanayakkanoor Village,  
Usilampatti Taluk,  
Madurai District.**
- 5.The Village Administrative Officer,  
Nadupatti Village, Usilampatti Taluk,  
Madurai District.**



**W.P (MD).No.30579 of 2024**

6. The President,  
Nadupatti Village Panchayat,  
Usilampatti Taluk,  
Madurai District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to forbear the respondents 2 to 6 to interfere the petitioner's property in S.No.91/4A and 72/22B situate at Nadupatti Village, Usilampatti Taluk, Madurai District and restore the original position of the said survey number.

|                |                                                     |
|----------------|-----------------------------------------------------|
| For Petitioner | : Mr.K.Guhan                                        |
| For R1 to R5   | : Mr.S.Shanmugavel<br>Additional Government Pleader |
| For R6         | : Mr.A.Baskaran<br>Additional Government Pleader    |

### **ORDER**

This writ petition has been filed to forbear the respondents 2 to 6 from interfering the petitioner's possession and enjoyment of the property comprised in S.No.91/4A and 72/22B situate at Nadupatti Village, Usilampatti Taluk, Madurai District.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



W.P (MD).No.30579 of 2024

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. The property comprised in S.No.91/4A situated at Nadupatti Village, Usilampatti Taluk, Madurai District was assigned in favour of the petitioner by the proceedings dated 08.07.2015 in Na.Ka.No.6247/2015/B3 on the file of the first respondent. Thereafter, the second respondent has issued a Adangal extract in respect of S.No.91/4A in favour the petitioner and also in favour of his daughter. Now, the second respondent directed the third respondent to survey the land comprised in S.Nos.91/4A, 91/4C1, 86, 88, 94, 104, 72/70 situated at Nadupatti Village, Usilampatti Taluk, Madurai District. The apprehension of the petitioner is that they are treating the subject property, which was already assigned in favour of the petitioner, as Oorani and as such, they went to put a pond by putting up bund.

5. The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that there the general public have given a complaint that there is an encroachment in the bund water channel situated at S.Nos.91/4A, 91/4C1, 86, 88, 94, 104, 72/70 situated at Nadupatti Village, Usilampatti Taluk, Madurai District and as such the second respondent



**W.P (MD).No.30579 of 2024**

directed the third respondent be present on 15.11.2024 for surveying the land.

Accordingly, the lands have been surveyed.

6. In view of the above, if any encroachment made by the petitioner in the pond or its bund, the respondents are at liberty to take appropriate action as against the petitioner for removal of encroachment under due process of law.

7. With the above direction, the writ petition is disposed of. No costs.  
Consequently, connected miscellaneous petition is closed.

Internet : Yes  
Index : Yes/No  
Speaking/Non Speaking order  
am

**18.12.2024**



W.P (MD).No.30579 of 2024

To

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- 6.The President,  
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**W.P (MD).No.30579 of 2024**

**G.K.ILANTHIRAIYAN, J.**

am

**W.P (MD).No.30579 of 2024**

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