



W.P. No.8464 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

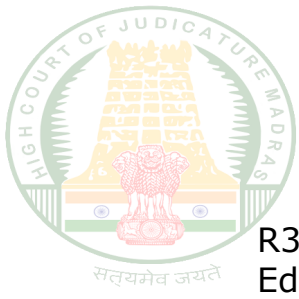
WP No. 8464 of 2025

E.Veerappan
S/o. Elumalai,
No.4, Erikarai Street, Edaiyalam,
Thozhupedu, Chengalpet District
Pin - 603 310

Petitioner(s)

Vs

1. The District Collector
Chengalpet District,
Chengalpet.
2. The Tahsildar,
Maduranthagam Taluk,
Madurantagam - 603 306.
3. Ellammal
W/o.Manoharan
4. Mariappan
S/o.Dhanapan

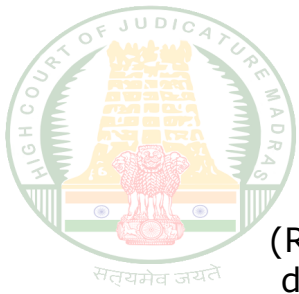


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R3 and R4 residing at
Edaiyalam, Thozhupedu,
Chengalpet District

5. Murali
S/o.Chinnaraj,
Pandaram Street, Edaiyalam,
Thozhupedu,
Chengalpet District
6. The Executive Engineer,
Water Resource Department,
Lower Palar Basin Division,
Kancheepuram.
7. The Assistant Engineer,
Water Resource Department,
Irrigation Section,
Acharapakkam, Chengalpet.
8. Kathammal,
W/o.Thanappan
9. Mallika,
D/o.Elumalai
- 10.Elumalai,
S/o.Perumal
- 11.Ganesan,
S/o.Srinivasan
- 12.Chellakannu,
S/o.Kishtappan
R8 to R12 residing at
Edaiyalam Village,
Maduranthagam Taluk
Chengalpet.



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(R6 to R12 impleaded as per
direction in order dated
12.6.2025)

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Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 and 2 herein to remove the encroachments made by respondents 3 to 5 in S.F No.30, Edaiyalam Village, Chengalpet District, which is classified as Water body in the Revenue records in accordance with law and within a stipulated period.

For Petitioner(s): Mr.Sriram.S

For Respondent(s): Mr.K.Karthik Jagannath
Government Advocate
for R1, R2, R6 and R7

Mr.N.Suresh and
Mr.K.Palaniappan for R4

Mr.S.Sathish for R3

R5-no Appearance

R8 to R12-Not ready in notice

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

An allegation of encroachment has been made the basis to approach this court seeking issuance of a mandamus.



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2. The reply filed by the seventh respondent shows that action was initiated against encroachments and some of them have been removed and as far as others are concerned, proceedings are still continuing and shall be brought to a logical conclusion one way or the other within three months.

3. We find that the petitioner himself was found to be an encroacher. This is clearly revealed in the reply of the seventh respondent.

4. It is well settled that, under the garb of public interest litigation, the august forum of this court cannot be allowed to be abused and misused by a person who himself is an encroacher.

5. We are not inclined to proceed further in the matter at the instance of the present petitioner.



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Petition is, therefore, dismissed. There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (SUNDER MOHAN,J)
24.07.2025

Index : Yes/No
Neutral Citation : Yes/No
sasi

To:

1. The District Collector
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Chengalpet.
2. The Tahsildar,
Maduranthagam Taluk,
Madurantagam - 603 306.
3. The Executive Engineer,
Water Resource Department,
Lower Palar Basin Division,
Kancheepuram.
4. The Assistant Engineer,
Water Resource Department,
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Acharapakkam, Chengalpet.



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THE HON'BLE CHIEF JUSTICE
AND
SUNDER MOHAN,J.

(sasi)

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