



W.P.No.4992 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MRS.JUSTICE **K.GOVINDARAJAN THILAKAVADI**

W.P.No.4992 of 2025

G.Nagasoundappan

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Namakkal District.
- 2.The District Revenue Officer,
Office of the District Collector,
Namakkal District.
- 3.The Commissioner of Revenue,
Revenue Divisional Office,
Tiruchengode Town and Taluk,
Namakkal District.
- 4.The Tahsildar,
Office of the Tahsildar,
Kumarapalayam Taluk,
Namakkal District.
- 5.The Junior Engineer (PWD),
Office of the Junior Engineer,
Inspection Bungalow,
Tiruchengode Town & Taluk,
Namakkal District.

Page Nos.1/6



W.P.No.4992 of 2025

6. Assistant Executive Engineer (PWD),
Office of the Assistant Executive Engineer,
Mettur Canal Division,
Kumarapalayam – 638 183
Namakkal District.

7. Rani
8. S. Kumar
9. S. Kavitha

... Respondents

Writ Petition filed under Article 226 of The Constitution of India
praying to issue a Writ of Mandamus directing the respondents 1 to 6
to evict the 7 to 9 respondents and clear the obstructions to the water
course due to the construction activities of the 7 to 9 respondents in
S.Nos.206/5, 207/4, 207/6 in Pallipalayam Agraharam Village,
Kumarapalayam Taluk within the time frame as may be fixed by this
Court.

For Petitioner : Mr.S.Venugopal Raj
for Mr.M.Santhanaraman

For Respondents : Mr.M.S.Arasakumar,
Government Advocate
for R1 to R6



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W.P.No.4992 of 2025

ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

Captioned main 'Writ Petition' (hereinafter 'WP' for the sake of brevity) has been filed complaining of obstruction in water course allegedly by R7 to R9 owing to construction that is being said to be put up.

2. Issue notice to official respondents.

3. Mr.M.S.Arasakumar, learned Government Advocate accepts notice for R1 to R6.

4. Owing to limited scope of the captioned main WP, main WP is taken up in the Admission Board with the consent of learned counsel on both sides, preserving all rights and contentions of private respondents R7 to R9.

5. Learned State counsel submits on instructions that a joint survey will be conducted after putting on notice writ petitioner as well as R7 to R9. Learned State counsel submits that joint survey will be

Page Nos.3/6



W.P.No.4992 of 2025

done as expeditiously as the business of official respondents would permit but in any event within a fortnight from today i.e., on or before 28.02.2025.

6. Learned State counsel submits that if any encroachment or obstruction in water course is found in the survey, appropriate action under applicable statute would be initiated and that will necessarily mean show causing alleged encroachers as per the statute under which action is being initiated. This submission is recorded. It is made clear that all rights and contentions of R7 to R9 are preserved for responding when show caused.

7. Considering the nature of the matter, we are of the considered view that it will suffice to record the stated position of the learned State counsel and dispose of the captioned main WP as closed. We do so. There shall be no order as to costs.

(M.S.,J.) (K.G.T.,J.)
14.02.2025

Index : Yes / No
Neutral Citation : Yes / No
mmi

Page Nos.4/6



W.P.No.4992 of 2025

To

WEB COPY

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**M.SUNDAR, J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,**

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W.P.No.4992 of 2025

14.02.2025

Page Nos.6/6