



W.P. No.16883 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE SUNDER MOHAN
W.P.No.16883 of 2025

P.Sivashanmugam
S/o.Paramasivam,
Irugalur Panchayat,
Sankari Taluk,
Salem District

Petitioner

Vs

1.The Commissioner of Land Administration
Land Administration Department,
Chepauk, Chennai-600 005

2.The District Collector
Collectorate,
Salem-636 001

3.The District Revenue Officer
District Collector Campus,
Salem-636 001

4.The Revenue Divisional Officer
Sankari-637 301,
Salem District

5.The Tahsildar



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Sankari Taluk,
Salem District

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6.The Block Development Officer
Sankari
Salem District

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to remove the encroachment and restore the water channel in S.F.No.168/1 and 168/2 of Irugalur Village and S.F.Nos.88 and 89 of Sellappampatty Village, Sankari Taluk, Salem District respectively in its original position, by considering petitioner's representations dated 12.06.2023, 26.06.2023, 19.08.2024 and 24.01.2025.

For Petitioner: Mr.R.Marudhachalamurthy

For Respondents: Mr.K.Karthik Jagannath
Government Advocate

ORDER

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

Heard learned counsel for the parties.

2. A serious disputed question of fact arises for consideration in this petition as to whether the land comprised in Survey



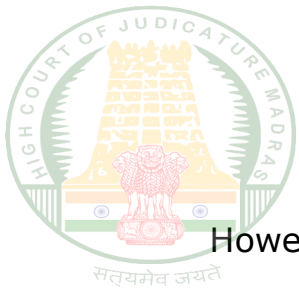
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Nos.168/1 and 168/2 in Irugalur Village and the land comprised in Survey Nos.88 and 89 in Sellappampatty Village are part of the water channel for draining of water from the lake situated in Survey No.155 to another area of the land comprised in Survey No.45.

3. Though learned counsel for the petitioner submitted that these disputed lands are those through which water channelises, a serious dispute has been raised by learned counsel for the respondents by placing on record their statement on affidavit and also various documents to submit that these lands never formed part of the water channel.

It is further submitted by learned counsel for the respondents that these lands have been recorded as Ryotwari Punja lands and pattas have been granted to various persons and the lands are in their possession.

4. The aforesaid submissions made and the material on record give rise to serious disputed questions of fact, which cannot be gone into in the writ petition. Therefore, the writ petition is dismissed.



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However, liberty is granted to the petitioner to work out such remedy as may be available under law.

There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (SUNDER MOHAN,J)
14.08.2025

Index : Yes/No

Neutral Citation : Yes/No

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

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