



WEB COPY

WP No. 28501 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-08-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 28501 of 2025

1. SUBRAMANIYAN

S/o Iyyayaram East Street, Vayalur
Colony Cuddalore District 606 001

Petitioner(s)

Vs

1. The District Collector
Collector Office, Cuddalore District

2.The District Revenue Officer
Collector Office, Cuddalore District

3.The Revenue Divisional Officer
Revenue Divisional Office
Vridhachalam Cuddalore District

4.The Commissioner
Vridhachalam Municipality,
Vridhachalam Cuddalore District

5.The Chairman
Vridhachalam Municipality
Vridhachalam, Cuddalore District



6. The Ward Councilor,
1st Ward, Vayalur, Vridhachalam
Taluk, Cuddalore District 606 001

Respondent(s)

PRAYER

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus forbearing the 4th to 6th respondents from levelling or damaged the water channel for constricting New public Toilet, in Ward -A, Block 20, Ts No 11, Old survey No 196/B, situated at Vayalur Colony, Vayalur, Vridhachalam Taluk, Cuddalore district and do not disturb the petitioner peaceful possession of his patta land in Ward A, block No 21 Ol survey No 195, Ts. No 70 by considering the petitioner representation dated 08.05.2025 and consequently direct the 1st to 3rd respondents to restore the water channel and maintain the same.

For Petitioner(s): Mr.T.Meganathan

For Respondents: Mrs.C.Meera Arumugam, AGP
for RR 1 to 3
Mr.P,Srinivas, Standing counsel
for RR 4 & 5

ORDER

Mrs.C.Meera Arumugam, learned Additional Government Pleader accepts notice on behalf of the respondents 1 to 3. Mr.P.Srinivas, learned Standing counsel accepts notice on behalf of the respondents 4 and 5. With the consent of the learned counsels on either side, the main writ petition itself is taken up for



final disposal. Notice to the 6th respondent is dispensed with since no adverse order is passed against the 6th respondent.

WEB COPY

2.The writ petition is filed for a mandamus forbearing the respondents 4 to 6 from levelling or damaging the water channel for constructing a new public toilet in Ward – A, Block No.20, TS.No.11, Old S.No.196/B at Vayalur Colony, Vayalur, Vridhachalam Taluk, Cuddalore District, by considering the petitioner's representation dated 08.05.2025 and consequently, directing the respondents 1 to 3 to restore the water channel and maintain the same.

3.The petitioner jointly owned properties in Ward-A, Block No.21, Old S.No.195, TS.No.70, to an extent of 4 cents at Vayalur Colony, Vayalur, Vridhachalam Taluk, Cuddalore District. The petitioner states that the respondents 4 to 6 decided to construct a public toilet in the water channel in Ward-A Block No.20 TS No.11, Old S.No.196/B at Vayalur Colony, Vayalur, Vridhachalam Taluk, Cuddalore District. As the respondents 4 to 6 were trying to construct the public toilet in the aforesaid survey number in the water channel, the petitioner submitted a representation to the 3rd respondent on 08.05.2025 requesting him to stop the work, namely, construction of public



toilet in the water channel. However, the 3rd respondent did not initiate any

action on the petitioner's representation and therefore, the petitioner has filed the

above writ petition for the aforesaid relief.

4.The learned counsel for the petitioner specifically submitted that the public toilet was being constructed in TS.No.11 which is classified as "Odai".

However, the learned Standing counsel appearing for the respondents 4 and 5 on

instructions, submitted that the public toilet was constructed in TS.No.71, which

was classified as "sarkar poramboke tharisu". Learned Standing counsel further

submitted that the petitioner had earlier encroached upon the said survey

number and therefore, with the help of the local police, the encroachment was

removed. The learned Standing counsel submitted that the toilet was being

constructed under the SBM 2.0 scheme. Learned Standing counsel submitted

that that the writ petition was misconceived as the public toilet was not

constructed on water body in TS.No.11, but in TS.No.71, classified as "Sarkar

Poramboke Tharisu". The respondents have produced a copy of the

Vridhachalam Town Field Register. The Vridhachalam Town Field Register

reveals that S.No.71, is classified as "Sarkar Poramboke Tharisu". Therefore, as



rightly contended by the learned Standing counsel appearing for the respondents

4 and 5, the writ petition is filed on a misconception that the toilet was being

constructed on a water body.

6. In view of the aforesaid facts, I do not find any merit in the writ petition. Accordingly, the writ petition is **dismissed**. No costs.

12-08-2025

AP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
WEB COPY

- 1.The District Collector
Collector Office, Cuddalore District
- 2.The District Revenue Officer
Collector Office, Cuddalore District
- 3.The Revenue Divisional Officer
Revenue Divisional Office
Vridhachalam Cuddalore District
- 4.The Commissioner
Vridhachalam Municipality,
Vridhachalam Cuddalore District
- 5.The Chairman
Vridhachalam Municipality
Vridhachalam, Cuddalore District
- 6.The Ward Councilor,
1st Ward, Vayalur, Vridhachalam
Taluk, Cuddalore District 606 001



WEB COPY

WP No. 28501 of 2025



N.MALA J.

AP

WP No. 28501 of 2025

12-08-2025