



WP.No.29068 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2025

CORAM

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

WP.No.29068 of 2025

Dr.U.Mani

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Petitioner

Vs

1.The District Collector,
Cuddalore, Cuddalore District 607 001

2.The District Revenue Officer,
Sub Collector And Rdo Office, Vridhachalam Main Road, Vridhachalam
Taluk, Cuddalore District 606 001

3.The Tahsildar,
Vridhachalam Taluk Office,
Vridhachalam Taluk, Cuddalore District

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Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent to inspect the “Mulla Lake/ Eri” comprised in S.No.204 measuring 4 acres, situated at Virudhachalam Taluk, Cuddalore district which was already classified as a “Thoppu” as per the A.Register and OSR of the year 1892 and change the classification of “Mulla Lake/ Eri” as “Tharisu Land” based on the petitioner's representation dated 17.06.2025 and issue a patta to the



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petitioner's land within a stipulated time

For Petitioner : M/S.T.Nithya

For Respondents : Mr.C.Jayaprakash,
Government Advocate

ORDER

This writ petition has been filed for direction to the third respondent to inspect the mull lake comprised in survey No.204 to an extent of 4 acres situated at Virudhachalam Taluk, Cuddalore.

2. The petitioner purchased a piece of land to an extent of 1742 ½ sq. ft. by the registered sale deed dated 04.08.1999 vide document No.8013 of 1999. While being so, the third respondent demolished the entire construction put up by the petitioner on the ground that the petitioner is an encroacher and the subject land is classified as “mulla pond” comprised in survey No.204 to an extent of 4 acres situated at Virudhachalam Taluk.



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3. On perusal of records, it is revealed that one, Thadayam Babu filed writ petition before this Court in WP.No.31168 of 2017 seeking direction to remove the encroachments in water bodies and catchment area. i.e. water channel at Aladi Road and Mulla lake, Cuddalore Road. As directed by this Court, the authorities concerned issued notice to remove the encroachers. It was challenged upto Hon'ble Supreme Court of India, and the Hon'ble Supreme Court of India upheld the eviction proceedings. Accordingly, all the encroachers including the petitioner were removed. At that juncture, the petitioner submitted the representation seeking reclassification of the subject land as 'tharisu land' from 'mulla eri'.

4. On instruction, the learned Government Advocate appearing for the respondents, submitted that as directed by this Court in the aforementioned writ petition filed by one, Thadayam Babu in WP.No.31168 of 2017 to take appropriate action against the encroachers in the water bodies. The petitioner, one of the encroachers, had constructed his house. As per the revenue records i.e. 1924 re-survey and re-settlement register, old survey No.204 had been changed to Ward-E, Block-68, TS.No.1 to an extent



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of 4.70 acres of land classified as mulla lake. The water bodies such as lakes, ponds and rivers are generally considered public property or common resources. This is to ensure that these vital resources are protected and remain accessible to everyone. Therefore, the encroachments have been rightly removed by the respondents. Hence, change of classification from 'mulla lake' to 'tharisu land' is not at all possible since the subject land is classified as water body and no individual can be granted patta for common resources. The Government also does not have the legal authority to convert water body into private land. Hence, the request made by the petitioner cannot be considered. As such, this writ petition is liable to be dismissed.

5. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

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Neutral citation :Yes/No
Index:Yes/No
Speaking/Non speaking
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Vridhachalam Taluk, Cuddalore District

4.The Government Advocate,
High Court of Madras



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