



WEB COPY

W.P No. 34492 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-09-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P No. 34492 of 2025

S.Venkatraman
S/o.Samidurai, Melatheru, Vadugakudi,
Sarapojirajapuram Post, Poonthottam Via,
Kudavasal Taluk, Tiruvarur District.

..Petitioner

Vs

1. The District Collector
Tiruvarur District, Tiruvarur.
2. The Revenue Divisional Officer
Tiruvarur.
3. The Tahsildar
Kudvasal Taluk, Kudavasal Town, Tiruvarur
District.
4. The Block Development Officer,
Kudavasal, Tiruvarur District.
5. Parasuraman
S/o.Sethu, Mariamman Koil Street,
Vadugakudi, Sarapojirajapuram Post,
Poonthottam Via, Kudavasal Taluk,
Tiruvarur District.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 2 to 4 to remove the encroachment made by the 5th respondent in water tank,



comprised in survey No.65/1, situated at Vadugakudi Village, Kudavasal Taluk, Tiruvarur District, within a stipulated time.

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For Petitioner : Ms.B.Yoga Priya

For Respondents : Mr.D.Ravichandar,
Special Government Pleader - for RR 1 to 3
Mr.E.Vijay Anand
Additional Government Pleader - for R4
R5 - Notice dispensed with

ORDER

(Order of the Court was made by R.Suresh Kumar J.)

The prayer sought for herein is for the issuance of a Writ of Mandamus directing the respondents 2 to 4 to remove the encroachment made by the 5th respondent in water tank, comprised in survey No.65/1, situated at Vadugakudi Village, Kudavasal Taluk, Tiruvarur District, within a stipulated time.

2. In S.No.65/1 situated at Vadugakudi Village, Kudavasal Taluk, Thiruvarur District, there has been an encroachment by the fifth respondent by putting up some construction and it has subsequently been identified as Government Kuttai / Kulam (Tank). If that being so, such kind of encroachment has to be removed and in this regard, the petitioner has given a representation on 04.03.2025 as he is one of the Ayacutdars of the



said Tank. The same since has not been considered, the petitioner has filed the present writ petition.

3. Heard the learned counsel for the petitioner, learned Special Government Pleader for the respondents 1 to 3 and the learned Additional Government Pleader for the fourth respondent. In view of the order that is going to be passed, notice to the fifth respondent is hereby dispensed with.

4. It is submitted by the learned Government Pleaders appearing for the respondents that, the survey has disclosed that the land in which such an encroachment is made by the fifth respondent is a Government Tank Poramboke land and when that being so, appropriate action would be initiated by the Tahsildar under the Land Encroachment Act and accordingly needful action would be undertaken by them as per the time line stipulated by this Court.

5. Considering the submissions made by both sides, especially the submission made by the learned Government Pleaders appearing for the respondents, this writ petition is disposed of with a direction to the respondents 2 and 3 to take necessary action under the provisions of Act 3



of 1905 for giving notice to the fifth respondent and, if there is any encroachment in the Government land, that too in the water body, the same shall immediately be removed. The needful action shall be taken after giving only notice to the fifth respondent within a period of two months from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

(R.S.K.,J.) (H.C.,J.)
19-09-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KST



To

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**R.SURESH KUMAR, J.
AND
HEMANT CHANDANGOUDAR, J.**

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