



W.P(MD)No.780 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 10.01.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.780 of 2025

S.Joshwa

... Petitioner

Vs.

- 1.The District Collector /
Monitoring Committee,
Kanyakumari District,
Nagercoil- 629 001.
- 2.The Revenue Divisional Officer,
Thovalai Taluk,
Kanyakumari District.
- 3.The Tahsildar,
Thovalai Taluk,
Kanyakumari District.
- 4.The Executive Engineer,
Kothaiyar Basin Division,
Public Works Department
(Water Resources Department),
Nagercoil,
Kanyakumari District.



W.P(MD)No.780 of 2025

5.The Assistant Executive Engineer,
Kothaiyar Irrigation Division,
Public Works Department
(Water Resources Department),
Nagercoil,
Kanyakumari District.

6.The Assistant Executive Engineer,
Palaiyar Irrigation Sub-Division,
Thovalai,
Kanyakumari District.

7.John Victor

8.John Varghese

9.Selvin

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 3 to 6 to remove the encroachments made in the water channel / supply channel in S.No.4/6, Esanthimangalam North Village, Thovalai Taluk, Kanyakumari District by considering the petitioner's representation dated 13.02.2024 by invoking the provisions of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007.

For Petitioner : Mr.M.P.Senthil
for Mr.A.Mohamed Haneef

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader
for R.1 to R.6



W.P(MD)No.780 of 2025

ORDER

WEB COPY

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the respondents 1 to 6. Considering the nature of relief to be granted, issuance of notice to the respondents 7 to 9 is dispensed with.

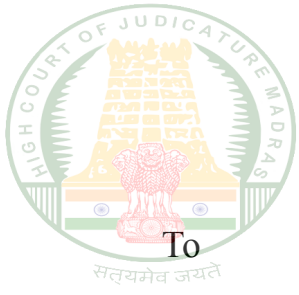
2.The petitioner wants encroachment in S.No.4/6, Esanthimangalam North Village, Thovalai Taluk to be removed.

3.We direct the third respondent to conduct survey. If encroachments are noticed, notices shall be given to all the encroachers / interested parties and opportunities should be given to them and they will be removed by adhering to due process of law. The entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

4.This writ petition is disposed of accordingly. There shall be no order as to costs.

[G.R.S., J.] [B.P., J.]
10.01.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MGA



W.P(MD)No.780 of 2025

To

WEB COPY

1. The District Collector /
Monitoring Committee,
Kanyakumari District,
Nagercoil- 629 001.
2. The Revenue Divisional Officer,
Thovalai Taluk,
Kanyakumari District.
3. The Tahsildar,
Thovalai Taluk,
Kanyakumari District.
4. The Executive Engineer,
Kothaiyar Basin Division,
Public Works Department
(Water Resources Department),
Nagercoil,
Kanyakumari District.
5. The Assistant Executive Engineer,
Kothaiyar Irrigation Division,
Public Works Department
(Water Resources Department),
Nagercoil,
Kanyakumari District.
6. The Assistant Executive Engineer,
Palaiyar Irrigation Sub-Division,
Thovalai,
Kanyakumari District.



WEB COPY



W.P(MD)No.780 of 2025

G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

MGA

W.P(MD)No.780 of 2025

10.01.2025