



W.P.(MD)No.2604 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.02.2025

CORAM

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

W.P(MD)No.2604 of 2025
and
W.M.P.(MD)Nos.1843 & 1845 of 2025

R.Sundarrajan

... Petitioner

Vs.

1.State Represented by its
The Secretary,
Tamil Nadu Water Resources Department,
Secretariat,
Fort St.George,
Chennai-600 009.

2.The District Collector,
O/o The District Collector,
Virudhunagar,
Virudhunagar District.

3.The Tahsildar,
O/o the Tahsildar,
Watrap Taluk,
Virudhunagar District.

4.The Assistant Engineer,
Water Resources Department,
Irrigation Division,
Melavaipaaru,



Watrap,
Virudhunagar District.
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... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned eviction notice in Lr.No.Ko.19/2024/Vu.Po(Kaa.Pi), dated 26.12.2024 passed by the fourth respondent and quash the same as illegal and consequently, restraining the respondents from evicting the petitioner from his dwelling house in Survey No.495/3 (mentioned as Survey No.1459) situated at Door No.25, situated at Servaran Kovil Street, Watrap Taluk, Virudhunagar District without providing alternative place in the light of G.O.Ms.No.318, (Revenue and Disaster Management Department) dated 30.08.2019.

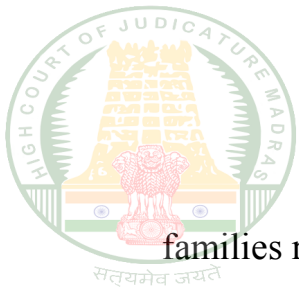
For Petitioner :Mr.T.Thirumurugan

For Respondents :Mr.K.Balasubramani
Special Government Pleader

ORDER

Heard both sides.

2. Form-III notice has been issued calling upon the petitioner to vacate from the dwelling house found in survey No.1459, Va.Pudhupatti Village. It is not in dispute that survey No.1459 has been classified as Vilvarayankulam. The petitioner's counsel states that there are around 200



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families residing in the water body.

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3. The character of the water body has to be maintained as such and admittedly, the petitioner does not have any title or claim thereon. Therefore, we are not inclined to interfere with the impugned order. We however direct the respondents to grant reasonable time (not less than six months) for the dwellers to vacate the premises. The District Administration shall also consider giving alternative sites / accommodation for the persons who are eligible.

4. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [B.P., J.]
05.02.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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To

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Chennai-600 009.
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O/o The District Collector,
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- 3.The Tahsildar,
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and

B.PUGALENDHI, J.

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