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W.P.(MD)NO.2578 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.2578 of 2025 AND
W.M.P.(MD)Nos.1820 & 1821 of 2025

B.Suppuraj

... Petitioner

Vs.

1. State rep. 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 Resource Department,
Irrigation Division,
Watrap,
Virudhunagar District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the



records pertaining to the impugned notice passed by the Respondent No.4 dated 25.11.2024 and quash the same as illegal and consequently restraining the Respondents from evicting the Petitioner from his dwelling house in Survey No.1459 situated at Door No.26, 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.P.T.Thiraviyam,
Government Advocate.

* * *

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 families residing in the water body.

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 dwellers to vacate the premises. The District Administration shall also consider giving alternative sites / accommodation for the persons who are eligible. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
29th January 2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

1. 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 Resource Department,
Irrigation Division, Watrap, Virudhunagar District.



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