



W.P(MD)No.2957 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.06.2025

CORAM

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

**W.P(MD)No.2957 of 2021
and
W.M.P(MD)Nos.2384 of 2019 & 10066 of 2021**

Karikalan

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Sivagangai District.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Sivagangai District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Devakottai, Sivagangai District.
- 4.The Tahsildar,
Singampunari Taluk,
Sivagangai District.
- 5.The Commissioner,
Singampunari Panchayat Union,
Singampunari Taluk,
Sivagangai District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records connected with the impugned order in Na.Ka.No.A2/1641/2020 dated 22.01.2021 issued by the Respondent No.5 and quash the same as illegal and consequently direct the Respondents not to evict the petitioner from his dwelling house in Survey No. 629/1, Door.No.376, Arasinampatti, Singampunari, Sivagangai, in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.S.Vinoth
Government Advocate

ORDER

Heard both sides.

2.The fifth respondent had issued impugned notice calling upon the petitioner to remove the encroachments committed in Survey No.629/1, Arasinampatti Village. Copy of the A-Register has been produced. It is seen therefrom that Survey No.629/1 has been classified as “Vettu Kanmoi”. It is seen from the counter affidavit that notice was already issued to the petitioner, survey was conducted and it has been ascertained that the petitioner is in occupation of the water body.

3.The respondents inform the Court that alternative site has been assigned within a radius of 2 Kms to the writ petitioner. It is for the writ



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petitioner to move to the alternative site. Since the petitioner may require time to put up house, we grant exactly six months from today (12.06.2025) to move the alternative site allotted by the respondents. The petitioner also have to file an affidavit before the fourth respondent undertaking to vacate at the end of the six months period.

4.We direct that once the present encroachments are cleared, Survey No.629/1, Vettu Kanmoi shall be kept free of encroachment for all times to come and this duty is cast on the respondent authority. This direction will operate in the nature of the continuing mandamus.

5.Recording the stand of the respondents that alternative site will be allotted to the petitioner and granting six months time from today (12.06.2025) to the petitioner to vacate, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [B.P., J.]
12.06.2025

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



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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

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