



W.P.(MD)No.2712 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.2712 of 2023

and

W.M.P.(MD)No.2461 of 2023

Ramu

... Petitioner

-VS-

1.The District Collector,
Pudukottai District.

2.The Tahsildar,
Kulathur Taluk,
Pudukottai District.

3.The Block Development Officer,
Kunnadarkovil Union,
Kulathur Taluk,
Pudukottai District.

4.The President,
Themmavar Villlage Panchayat,
Kulathur Taluk,
Pudukottai District.

5.Tamil Selvan

... Respondents



W.P.(MD)No.2712 of 2023

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from removing and dismantling the drinking water pipeline laid in Survey No.933/37 at Themmavur Village, Kulathur Taluk, Pudukottai District.

For Petitioner	:	Mrs.V.Sundari for Mr.N.Balakrishnan
For R1 and R2	:	Mrs.K.Malathi Additional Government Pleader
For R3 and R4	:	No Appearance
For R5	:	Mr.P.Ganapathi Subramanian

ORDER

The Writ Petition has been filed seeking issuance of a Writ of Mandamus forbearing the respondents from removing and dismantling the drinking water pipeline laid in Survey No.933/37, Themmavur Village, Kulathur Taluk, Pudukottai District.

2. The learned counsel for the petitioner submits that Survey No.933/37 is not a patta land, but is classified as Government Poramboke land. She states that the fourth respondent is attempting to remove the water pipeline at the instance of the fifth respondent and re-lay it on the road. However, the learned counsel for the



W.P.(MD)No.2712 of 2023

petitioner now submits that the pipeline is passing only through the road portion and not through the petitioner's patta land.

3. On the other hand, the learned counsel for the fifth respondent contends that the land in question is patta land and not Poramboke land. He, however, fairly submits that if a survey is conducted, the fifth respondent will not raise any objection, and the pipeline can continue in its present alignment.

4. In the event, it is found to be patta land, the fifth respondent may raise objections, and necessary steps may be taken by the fourth respondent to remove the pipeline and re-lay the same in the Poramboke portion.

5. The learned Additional Government Pleader appearing for the respondents 1 and 2 submits that the pipeline has already been laid in Poramboke land, and not in the patta land belonging to the fifth respondent.

6. Considering the submissions of the learned counsel on either side, the question as to whether the pipeline passes through patta land or Poramboke land



W.P.(MD)No.2712 of 2023

can be determined only after proper measurement of the property. According to the fifth respondent, Survey No.933/19 is patta land; however, as per the “A” Register produced before this Court by the respondents, no such sub-division as Survey No.933/37 exists in the records.

7. If the fifth respondent has any grievance, he is at liberty to approach the Tahsildar / the second respondent herein for measurement of the property to ascertain whether the pipeline runs through his patta land in Survey No.933/19. Until such measurement is completed, the respondents shall not take any steps to remove the pipeline already laid.

8. Accordingly, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
smn2

01.12.2025

To:-

1.The District Collector,
Pudukottai District.



W.P.(MD)No.2712 of 2023

WEB COPY

- 2.The Tahsildar,
Kulathur Taluk,
Pudukottai District.
- 3.The Block Development Officer,
Kunnadarkovil Union,
Kulathur Taluk,
Pudukottai District.
- 4.The President,
Themmavar Villlage Panchayat,
Kulathur Taluk,
Pudukottai District.



WEB COPY



W.P.(MD)No.2712 of 2023

KRISHNAN RAMASAMY, J.

smn2

W.P.(MD)No.2712 of 2023

01.12.2025