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W.P.(MD)NO.4483 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.4483 of 2024

R.Veerasingam

... Petitioner

Vs.

1. State of Tamil Nadu,
Rep. by its Secretary to Government,
Public Works Department,
Secretariat, St. George Fort,
Chennai – 600 009.

(R-1 is deleted vide order dated 04.03.2025
in W.M.P.(MD)No.11565 of 2024.)

2. The District Collector,
Sivagangai District,
Sivagangai.

3. The District Revenue Officer,
Sivagangai District,
Sivagangai.

4. The Revenue Divisional Officer /
Chairperson,
Divisional Monitoring Committee,
Kalaiyarkovil Taluk,
Sivagangai District.



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5. The Tahsildar,
Kalaiyarkovil Taluk,
Sivagangai District.

6. The Block Development Officer,
Kalaiyarkovil,
Sivagangai District.

7. The President,
Kalaiyarkovil Panchayat,
Sivagangai District.

8. The Authorized Person,
National Textile Corporation Ltd.,
Kaleeshwari Mills B-Unit,
Kalaiyarkovil,
Sivagangai District.

9. S.Sebastine Arulmary

10. T.Johna Kennedy

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 to 7 to consider the petitioner's representation dated 05.02.2024 and prevent the 8th respondent in putting up iron fencing that includes Chetti Oorani Kanmoi Channels, Kalaiyarkovil and to remove the encroachments made by the respondents 9 and 10 who put up constructions that encroached the channels of Chetti Oorani Kanmoi tank at Kalaiyarkovil Panchayat, Sivagangai District which includes in Survey No.81/1A to 98/1A which includes the channels which fill up water to the Chetti Oorani Kanmoi at Kalaiyarkovil Panchayat, within the time frame fixed by this Court.

For Petitioner : Mr.G.S.Senthil Kumar

For R-2 to R-5&R-7 : Ms.P.B.Ahamed Yasmin Parvin,
Government Advocate.



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W.P.(MD)NO.4483 OF 2024

For R-6 : Mr.V.Om.Prakash,
Government Advocate.
For R-8 : Mr.K.R.Laxman
For R-10 : Mr.R.M.Arun Swaminathan

* * *

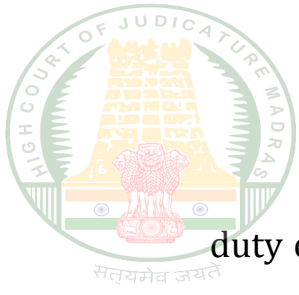
ORDER

Heard both sides.

2. The petitioner alleges that the eighth respondent is proposing to put up fencing by enclosing the petition-mentioned water bodies.

3. The learned Government Advocate confirms that the petition-mentioned survey numbers have been classified as water bodies.

4. We direct the official respondents to ensure that the water bodies are not encroached upon either by the eighth respondent or by the petitioner or by any other party. No private person can be allowed to fence any water body. The stand of the eight respondent is that they are putting up fencing only on their patta lands. It is the



duty of the official respondents to ensure that the eighth respondent have not encroached upon the water body. This writ petition stands disposed of accordingly. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
04th March 2025

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

To:

1. The District Collector,
Sivagangai District, Sivagangai.
2. The District Revenue Officer,
Sivagangai District, Sivagangai.
3. The Revenue Divisional Officer /
Chairperson, Divisional Monitoring Committee,
Kalaiyarkovil Taluk, Sivagangai District.
4. The Tahsildar,
Kalaiyarkovil Taluk, Sivagangai District.
5. The Block Development Officer,
Kalaiyarkovil, Sivagangai District.
6. The President,
Kalaiyarkovil Panchayat, Sivagangai District.

G.R.SWAMINATHAN, J.



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W.P.(MD)NO.4483 OF 2024

AND

B.PUGALENDHI, J.

PMU

W.P.(MD)No.4483 of 2024

04.03.2025