



W.P.(MD).No.6531 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2025

CORAM:

**THE HONOURABLE MR.K.R.SHRIRAM, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**W.P.(MD).No.6531 of 2021
and
W.M.P.(MD).Nos.5084 and 5085 of 2021**

K.Ramanathan

... Petitioner

-Vs-

1. The District Collector,
Sivagangai District.
2. The District Revenue Officer,
Sivagangai District.
3. The Revenue Divisional Officer,
Devakottai.
4. The Deputy Director of Town and
Country Planning,
Sivagangai.
5. The Tahsildar,
Kraikudi Taluk,
Sivagangai District.



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6. The Commissioner,
Karaikudi Municipality, Karaikudi.

**(*R6 is Given Up Vide Order
dated 07.09.2021 in Wp(MD).6531 of 2021)**

7. The Correspondent,
Chellappan Matriculation Higher Secondary School,
Kalanivasal,
Karaikudi.

8. The President,
Sankarapuram Village Panchayat,
Sakkottai Union,
Sivagangai District.

... Respondents

**(*R8 is Impleaded Vide Court Order Dated
06.10.2021 in Wmp(MD). 13739 of 2021 in
Wp(MD).6531 of 2021)**

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the official respondents to take appropriate action and demolish the unauthorized constructions made by the 7th respondent in Survey Nos.85/2B, 85/2D, 85/1A2, 85/1B2, 85/2A, 85/2C, 85/2F and 85/2E of Kalanivasal Revenue Village, Karaikudi and restore the Waterways /canal in 85/2D, 2A1, 2F, 2C of Kalanivasal Revenue Village, Karaikudi within a time frame to be fixed by this Court.



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For Petitioner : Mr.P.Shanmuga Raja
For R-1 to R5 : Mr.M.Sarangan
Additional Government Pleader
For R-6 : Mr.P.Mahendran
(given up)
For R-7 : Mr.J.Anand Kumar
Government Pleader

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

The petition allegations are that:

- (a) the entire building constructed by respondent No.7 was illegal in as much as there was no building permission in place and
- (b) a water channel that passed through the land in the occupation of respondent No.7 has been deviated.

2.Counsel for the seventh respondent states that the building plan and approval have been subsequently obtained and the building has been regularised. It is a CBSE School.

3.As regards the deviation of water channel, counsel for petitioner states



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that the channel is not blocked just the path has been deviated. Counsel states that he shall examine the permissions given to the seventh respondent after filing of the petition and thereafter seek instructions as to whether those permissions have to be challenged.

4.Writ Petition stands disposed. There shall be no order as to costs.
Consequently, the interim applications are closed.

[K.R.SHRIRAM., C.J.]

[V.LAKSHMINARAYANAN,J.]

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NCC : Yes / No
Index : Yes / No

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THE HON'BLE CHIEF JUSTICE
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