



**W.P(MD)No.6224 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

WEB COPY

**DATED: 11.03.2025**

**CORAM**

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

**W.P(MD)No.6224 of 2025  
and  
W.M.P(MD)Nos.4570 & 4572 of 2025**

B.Mayakannan

... Petitioner

Vs.

- 1.The District Collector,  
Madurai District,  
Collectorate,  
Madurai Post & District.
- 2.The Tahsildar,  
Thiruparankundram Taluk Office,  
Thiruparankundram Taluk,  
Madurai District.
- 3.The Assistant Engineer,  
WRD, PWD,  
Nilayur Section,  
Nilayur,  
Periyar Vaigai Basin Sub Division No-II,  
Madurai – 625 002.
- 4.The Assistant Engineer,  
WRD, PWD,  
Nilayur Section,



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Nilayur,

Periyar Vaigai Basin Sub Division No-II,

Madurai – 625 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in pursuant to the impugned order issued by the third respondent in Impugned Form - III Notice under the Tamil Nadu Protection of Tanks and Eviction of Encroachments Act, 2007 (Sub Rule (1) of Rule 6) dated 31.12.2024 and quash the same and consequently direct the first respondent to issue patta in favour of the petitioner's name for occupied house site situated in Survey No.92, Sornam Colony, Tirunagar, Tirupparankundram Village, Madurai District.

For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.K.Balasubramani  
Special Government Pleader

### **ORDER**

Heard both sides.

2.The petitioner questions the Form -3 notice issued by the third respondent. The subject matter pertains to Survey No.92. Revenue record was produced before us. It is seen therefrom that Survey No.92 has been classified as “Puliyankulam Kanmoi”. It is obviously a water body. Therefore, the



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petitioner's request for grant of patta cannot be accepted. The petitioner has not made out any case for interfering with the impugned Form-3 notice. The petitioner does not have any semblance of title. It is true that the petitioner has been in occupation of the same for quite sometime. Even long possession of water body will not confer any right or title. We, however, permit the petitioner to submit the representation before the first respondent. The first respondent will consider granting alternative site to the petitioner if he is eligible as per the extant norms. The petitioner is given a breathing time of six months from today (11.03.2025) before he is dispossessed.

3.This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

**[G.R.S., J.]      [B.P., J.]**  
**11.03.2025**

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

To

1.The District Collector,  
Madurai District,  
Collectorate, Madurai Post & District.



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**G.R.SWAMINATHAN, J**

**and**

**B.PUGALENDHI, J.**

MGA

- 2.The Tahsildar,  
Thiruparankundram Taluk Office,  
Thiruparankundram Taluk,  
Madurai District.
- 3.The Assistant Engineer,  
WRD, PWD,  
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Nilayur,  
Periyar Vaigai Basin Sub Division No-II,  
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