



W.P(MD)No.6471 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.6471 of 2025
and
W.M.P(MD)Nos.4752, 4753 & 4755 of 2025**

1.Pandi
2.Pandiammal

... Petitioners

Vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Assistant Executive Engineer,
Public Works Department (WRO),
Periyar Vaigai Basin Sub Division No: II,
Nilayur Section,
Nilayur,
Madurai – 625 002.
- 3.The Tahsildar,
Thiruparankundram Taluk,
Madurai District.
- 4.The Inspector of Police,
Thirunagar Police Station,
Madurai.



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5. The Assistant Engineer,
TANGEDCO,
Thirunagar,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the entire records pertains to the impugned eviction notice issued by the second respondent dated Nil and quash the same as illegal and unconstitutional, consequently directing the respondents to restore the patta or reconsider the classification of the land in Survey No.92 or in alternative, directing the respondents to provide alternative land before carrying out any eviction against the petitioners.

For Petitioners : Mr.M.Maharaja

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1 to R.4

ORDER

Heard both sides.

2.The petitioners question the Form -3 notice issued by the second 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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petitioners' request for grant of patta cannot be accepted. The petitioners have

also not made out any case for interfering with the impugned Form-3 notice.

The petitioners do not have any semblance of title. It is true that they have 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 petitioners to submit the representations before the first respondent. The first respondent will consider granting alternative site to those applicants who are eligible as per the extant norms. The petitioners are given a breathing time of six months from today (11.03.2025) before they are 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

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NCC : Yes / No

Internet : Yes / No

Index : Yes / No

MGA

To

1.The District Collector,
Madurai District,
Madurai.



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and

B.PUGALENDHI, J.

MGA

- 2.The Assistant Executive Engineer,
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