



W.P.(MD)No.6814 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.03.2025

CORAM

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

W.P(MD)No.6814 of 2025

and

W.M.P.(MD)No.5112 of 2025

Periyasamy

... Petitioner

Vs.

1.The District Collector,
District Collectorate,
Pudukkottai District.

2.The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Pudukkottai.

3.The Tahsildar,
Pudukkottai Taluk Office,
Pudukkottai.

4.Tajsutheen

5.Samsathunnisha

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 3 to remove encroachment made by the respondents 4 & 5 in Survey No.52 situated in Thirumalarayasamudram Village, Pudukkottai Taluk & District on the basis of the petitioner's representation dated 10.02.2025.



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For Petitioner :Mr.K.Arunraj

For Respondents :Mr.K.Balasubramani
Special Government Pleader
for R1 to R3

: Mr.G.Mathavan
for R4 & R5

ORDER

Heard both sides.

2. The petitioner alleges that the private respondents have committed encroachment on the petition mentioned water body ie., comprised in Survey No.52, Thirumalarayasamudram Village.

3. The learned counsel appearing for R4 & R5 vehemently denies the said allegation. R4 & R5 claim that this issue has already been gone into by the revenue authorities and that it is being needlessly agitated.

4. The learned Special Government Pleader on instructions and on the basis of the records confirms that Survey No.52 has been classified as water body in the revenue record. The total extent of the said water body is around 10.19.5 hectare. It is further undertaken by the official respondents that on 04.04.2025, a fresh survey will be conducted. It is for the petitioner as well as the private respondents to be present at the time of conducting survey. Survey



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will be conducted from 10.00 a.m onwards. The revenue authority will ensure that the extent of the water body as mentioned in the revenue record is properly earmarked. If at the end of the survey, it is seen that there is any encroachment, action will be taken to remove the same by adhering to due process of law. If encroachment is confirmed, notice will be issued to the encroachers and exercise of removal of the encroachment will be completed within a period of 3 months thereafter.

5. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
18.03.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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To

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