



W.P(MD)No.10878 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.04.2025

CORAM

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

**W.P(MD)No.10878 of 2025
and
W.M.P(MD)Nos.8102 & 8103 of 2025**

1.T.Murugasamy

2.S.Y.Arul

3.T.Sounthirapandi

... Petitioners

Vs.

1.The District Collector,
District Collectorate,
Tirunelveli,
Tirunelveli District.

2.The Tahsildar,
Rathapuram Taluk,
Tirunelveli District.

3.The Assistant Executive Engineer,
Public Works Department,
P.W.D / W.R.O,
Valliyoore,
Tirunelveli District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned eviction notice in Na.Ka.Aa8/5953/2023 dated on 28.03.2025 on the file of the second respondent and quash the same as illegal insofar as the petitioners are concerned and consequently, forbear the respondents 1 to 3 from evicting the petitioners from their dwelling house in S.No.334/1A in Koodankulam Village, Radhapuram Taluk, Tirunelveli District without following due process of law.

For Petitioners : Mr.M.Mahaboob Fazil

For Respondents : Ms.P.B.Ahamed Yasmin Parvin
Government Advocate

ORDER

Heard both sides.

2.The petitioners are admittedly in occupation of a portion of a water body. Therefore, they were rightly ordered to be evicted. However, considering their economic and social background, the District Administration has given free house sites at an alternative place.

3.The learned counsel for the petitioners states that they may require some time to construct in the allotted sites and vacate.



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4.We grant six months time from today to the petitioners to vacate from the petition mentioned sites. The impugned eviction orders will be put on hold till then. The petitioner has to file an affidavit before the second respondent undertaking to vacate at the end of the six months period from today. If the petitioners fail to file any such undertaking affidavit, the petitioners cannot avail the breathing time given by this Court.

5.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.]

22.04.2025

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

To

1.The District Collector,
District Collectorate,
Tirunelveli,
Tirunelveli District.

2.The Tahsildar,
Rathapuram Taluk,
Tirunelveli District.

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and

B.PUGALENDHI, J.

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3.The Assistant Executive Engineer,
Public Works Department,
P.W.D / W.R.O,
Valliyoor,
Tirunelveli District.

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