



1

W.P.(MD)NO.11494 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.11494 of 2021

T.Rathinavel

... Petitioner

Vs.

1. The District Collector,
O/o.the Collectorate, Theni,
Theni District.
2. The District Revenue Officer /
District Level Review Committee,
Collector Office, Theni,
Theni District.
3. The Revenue Divisional Officer / Appellate Committee,
Periyakulam,
Theni District.
4. The Block Development Officer,
Village Panchayat,
Andipatty Taluk,
Theni District.
5. The Tahsildar,
Taluk Office, Andipatty,
Theni District.

... Respondents



Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encroachment in survey Nos.1740, 1844/1, 1846, 1851, 1852 and 1853 which is situated at Sidaiyagoundanpatti Village, Andipatty Bit-II Village, Theni District by implementing G.O.(Ms.)No.540 Revenue [LD6(2)] Department dated 04.12.2014 in accordance with law within a stipulated time to be fixed by this Court.

For Petitioner : Mr.J.Senthil Kumaraiah

For Respondents : Mr.A.Kannan,
Additional Government Pleader.

* * *

ORDER

The petitioner is a resident of Sidaiyagoundanpatti Village. According to him, in the petition-mentioned survey numbers, there are encroachments and they should be removed.

2. When the matter was taken up for hearing, the learned Additional Government Pleader submitted that survey Nos.1740, 1846, 1851/1 alone have been classified as water bodies and that survey Nos.1852 and 1853 are patta lands. Survey No.1844/1 has been classified as sarkar tharisu.



3. The scope of the writ petition is confined only to the water bodies alone. It is specifically submitted by the learned Additional Government Pleader that the encroachment in the water bodies have already been removed in the year 2022 itself.

4. We direct the authorities to ensure that the water bodies are kept from free of encroachment for all times to come. We issue continuing Mandamus. This writ petition stands allowed accordingly. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
30th July 2025

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

PMU



WEB COPY



To:

1. The District Collector,
O/o.the Collectorate, Theni,
Theni District.
2. The District Revenue Officer /
District Level Review Committee,
Collector Office, Theni,
Theni District.
3. The Revenue Divisional Officer / Appellate Committee,
Periyakulam,
Theni District.
4. The Block Development Officer,
Village Panchayat,
Andipatty Taluk,
Theni District.
5. The Tahsildar,
Taluk Office, Andipatty,
Theni District.



WEB COPY



5

W.P.(MD)NO.11494 OF 2021

G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

PMU

W.P.(MD)No.11494 of 2021

30.07.2025