



W.P(MD)No.12436 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.06.2025

CORAM

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

W.P(MD)No.12436 of 2025

K.Kumar

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindugul.

2.The District Revenue Officer,
Dindigul District, Dindugul.

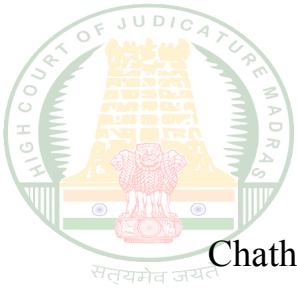
3.The Revenue Divisional Officer,
Palani Sub Division,
Dindigul District.

4.Palanisamy

5.M.Vijayaraj

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondent Nos.1 to 3 to restore the Odai bund in Survey No.333 of



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Chathirapatti Village and to take action against the 4th and 5th respondents who damaged the Odai bund in the guise of removing the encroachment and made the mud pathway to the 5th respondent's land in the Odai bund itself by considering the representation dated 02.04.2025.

For Petitioner : Mr.R.Anandha Raj

For Respondents : Mr.C.Venkatesh Kumar,
Spl. Government Pleader for R1 to R3.

ORDER

Heard the learned counsel for the writ petitioner and the learned Special Government Pleader for the respondents 1 to 3. Issuance of notice to the respondents 4 and 5 is dispensed with.

2.The fifth respondent herein filed W.P.(MD)No.16275 of 2024 for removing the encroachments in the petition mentioned water body. The writ petition was disposed of by us on 23.07.2024 in the following terms:-



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“Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for R1 to R3. Issuance of notice to R4 & R5 is dispensed with.

2. The petitioner alleges that the private respondents herein have expanded the extent of their field and reduced the width of the bund. It is undertaken by the second respondent that survey notice will be issued to all the stake holders and the original position will be restored. Survey will be conducted in the presence of the persons concerned and if it is noticed that the width of the bund suffered reduction, the original position will be restored. We make it clear that we have not gone into the merits of the matter. The official respondents are adhere to due process of law. This exercise shall be completed by the respondents 1 to 3 within a period of four months from the date of receipt of a copy of this order.

3. The Writ Petition is disposed of accordingly. No costs.”

3.The grievance of the petitioner herein who was shown as the fifth respondent in the earlier writ petition is that in the guise of removing the encroachment, not only the bund of the water body has been damaged but a road has been formed.



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4.The photographs produced before us appear to bear this out.

5.We direct the respondents 1 to 3 to ensure that the original bund position will have to be restored in toto. It shall be done as expeditiously as possible.

6.This writ petition is disposed of accordingly. No costs.

(G.R.S.J.) & (B.P.J.)
03.06.2025

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



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To:-

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Dindugul.
- 2.The District Revenue Officer,
Dindigul District, Dindugul.
- 3.The Revenue Divisional Officer,
Palani Sub Division,
Dindigul District.



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G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.

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