

W.P.(MD)No.11680 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.04.2025

CORAM

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

W.P(MD)No.11680 of 2025
and
W.M.P.(MD)No.8631 of 2025

Pannerselvam

... Petitioner

Vs.

**1.The District Collector,
Thoothukudi,
Thoothukudi District.**

**2.The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.**

**3.The Tahsildar,
Ottapidaram Tahsildar Office,
Ottapidaram-628 213,
Thoothukudi District.**

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to direct the respondents to call for the records in Na.Ka.No.A3/863/2023, dated 05.04.2025 issued by the third respondent and quash the same as illegal and consequently, direct the respondents to issue patta to the petitioner's house situated at Survey No.143/3



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in South Sithalakottai Village, Kurukkusalai Panchayat, Ottapidaram Taluk,
Thoothukudi District by considering his representation dated 19.04.2025.

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For Petitioner :Mr.S.Sivaprakash

For Respondents :Mr.S.R.A.Ramachandran
Additional Government Pleader

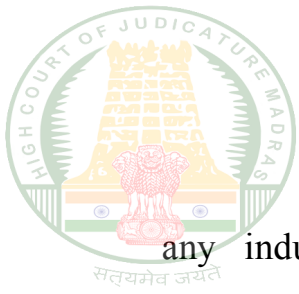
ORDER

Heard both sides.

2. The petitioner is obviously in occupation of a portion of the water body. Survey No.143/3 in Sithalakottai Village has been classified as “Odai”. The petitioner was served with an eviction order dated 13.06.2023. Challenging the same, the petitioner filed an appeal before the District Collector. The appeal was also dismissed. Copy of the dismissal order does not appear to have been served on the petitioner.

3. The petitioner's counsel states that he may be given breathing time so that he can invoke revisional remedy.

4. Since the petitioner does not have even an semblance of title and his occupation of the water body is impermissible, we are not inclined to show



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any indulgence. However, taking into account the special facts and

circumstances of this case, we direct the authorities / respondents to not to evict the petitioner for a period of six more months from today. The petitioner is given liberty to submit an application for allotment of alternative site to the first respondent. The petitioner's counsel states that within a week, an application will be submitted. The first respondent is directed to consider the same and allot an alternative site provided the petitioner otherwise eligible. Such decision will be taken by the first respondent within a period of two months from today.

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

[G.R.S., J.] [B.P., J.]
24.04.2025

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

1.The District Collector,
Thoothukudi,
Thoothukudi District.

2.The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.

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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

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3.The Tahsildar,
Ottapidaram Tahsildar Office,
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Thoothukudi District.

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