



W.P.(MD)No.12654 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.12.2025

CORAM

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

W.P(MD)No.12654 of 2025
and
W.M.P.(MD)No.24540 of 2025

K.Rakammal

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District.

2.The Tahsildar,
Manamelkudi Taluk,
Pudukkottai District.

3.The Assistant Executive Engineer,
PWD, WRO South Vellar Basin Sub Division,
Aranthangi,
Pudukkottai District.

4.The Junior Engineer,
PWD WRO, Irrigation Section,
Mimisal, Manamelkudi Taluk,
Pudukkottai District.

5.V.Selvaraj
(R5 is impleaded vide order dated 30.07.2025
in W.M.P.(MD)No.13485 of 2025 by GRSJ & BPJ)

... Respondents



W.P.(MD)No.12654 of 2025

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order vide FORM III Dated 16.04.2025 passed by the 4th respondent.

For Petitioner :Mr.K.Vasantha Kumar

For Respondents :Mr.M.Siddhardhan
Additional Government Pleader
for R1 to R4

: Mr.R.Suriya Narayanan
for R5

ORDER

Heard both sides.

2. The petitioner challenges the Form III notice issued under the Tamil Nadu Protection of Tanks & Eviction of Encroachment Act.

3. Though Form II notice was also issued, we are satisfied that service was not properly effected. Survey was not conducted in the presence of the writ petitioner. In this view of the matter, the impugned Form III is quashed. The respondent is not only given liberty but also direction to resume the process of removal of encroachment from the stage where the defect crept in. In other words, fresh notice for survey has to be issued to the petitioner. That will be followed by Form II as well as Form III notice. The entire exercise



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will be completed within a period of four months from the date of receipt of a
copy of this order.

4. The Writ Petition is allowed accordingly. No costs. Consequently,
connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
11.12.2025

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

To

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Pudukkottai District.
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and

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