



WP(MD)No.13931 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.05.2025

CORAM:

**THE HONOURABLE MR JUSTICE M.DHANDAPANI
AND**

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

W.P.(MD)No.13931 of 2025

and W.M.P.(MD)No.10082 of 2025

M.Leela

: Petitioner

Vs.

1. The District Collector / Monitoring Committee,
Kanyakumari District,
Nagercoil.

2. The Tahsildar,
Agastheeswaram Taluk,
Nagercoil,
Kanyakumari District.

3. The Block Development Officer,
Agastheeswaram Taluk,
Kanyakumari District.

4. The Executive Officer,
Theroor Panchayat,
Agastheeswaram Taluk,
Kanyakumari District.

5. Amala

: Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representations dated 19.04.2025 and 01.05.2025 and to remove the illegal and unauthorized encroachment and closure of the water irrigation channel and pathway passing through the survey Nos. 637/8B2B, 637/8B2C leading to the Petitioners Paddy field in Survey No. 637/7 of Pudhugramam, Theroor Revenue Village, Agastheeswaram Taluk, Kanyakumari District within the time stipulated by this Court.

For Petitioner : Mr.M.R.Sreenivasan

For Respondents : Mr.A.Kannan,
Addl. Govt. Pleader for R1 to R4

ORDER

[Order of the Court was made by **M.DHANDAPANI, J.**]

This Writ Petition has been filed seeking a Writ of Mandamus to the respondents 1 to 4 to consider the petitioner's representations dated 19.04.2025 and 01.05.2025 and to remove the illegal and unauthorized encroachment and closure of the water irrigation channel and pathway passing through the survey Nos. 637/8B2B, 637/8B2C leading to the Petitioners Paddy field in Survey No. 637/7 of Pudhugramam, Theroor



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Revenue Village, Agastheeswaram Taluk, Kanyakumari District within the time stipulated by this Court.

2. Mr.A.Kannan, learned Additional Government Pleader takes notice for respondents 1 to 4. Since no adverse order is going to be passed against the 5th respondent, notice to the 5th respondent is dispensed with.

3. The learned counsel appearing for the petitioner would submit that the petitioner is having an extent of 6.57 Ares in Survey No. 637/7 of Pudhugramam, Theroor Revenue Village, Agastheeswaram Taluk, Kanyakumari District, which is classified as Nanja land. However, the 5th respondent, who is the owner of the adjacent land, is trying to convert the Nanja Land as housing plots, by blocking the water irrigation channel pathway and the same is contrary to the Standing Orders and the Government Orders issued by the Government. Therefore, the petitioner made representations on 19.04.2025 and 01.05.2025, seeking to take appropriate action against the 5th respondent. Since, no orders have been passed, the petitioner has filed this Writ Petition with the above prayer.



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4. The learned counsel for the petitioner would submit that this

Court may issue a direction to the respondents 1 to 4 to consider the representations of the petitioner dated 19.04.2025 and 01.05.2025, after providing opportunity to the petitioner as well as the 5th respondent.

5. The learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that the petitioner's representations will be considered, after providing opportunity to the petitioner and the 5th respondent.

6. Considering the limited prayer sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner either in the representations or in the affidavit filed in support of this Writ Petition, we direct the respondents 1 to 4 to consider the representations of the petitioner dated 19.04.2025 and 01.05.2025, after giving sufficient opportunity of hearing to the petitioner as well as the 5th respondent and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.



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7. With the above direction, this Writ Petition is disposed of.

Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[M.D.I.,J.] & [R.S.V.,J.]

08.05.2025

Neutral Citation : Yes/No

Index : Yes/No

vsm

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