



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.05.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)Nos.14400 to 14403 of 2025
and
W.M.P.(MD) Nos.10585, 10593, 10587 and 10590 of 2025**

P.Maheshwari

... Petitioner in W.P.(MD) No.14400 of 2025

K.Sekar

... Petitioner in W.P.(MD) No.14401 of 2025

C.Gopi

... Petitioner in W.P.(MD) No.14402 of 2025

P.Ranjith Kumar

... Petitioner in W.P.(MD) No.14403 of 2025

vs.

1.The State of Tamil Nadu,
rep by the Secretary to Govt.,
Water Resource Department,
Fort St.George,
Chennai -09.

2.The District Collector,
O/o. the District Collector, Theni.

1/6



WEB COPY

3.The Executive Engineer,
Periyar Dam Special Division,
Water Resource Department,
Cumbum,
Theni District.

4.The Assistant Engineer,
Water Resource Department,
Theni Highway,
Uthamapalayam,
Theni District.

... Respondents in all W.Ps.,

COMMON PRAYER : Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of the respondents particularly that of 4th respondent's impugned notice in form III Rule 6(1) dated 22.04.2025 and quash the same as illegal, unlawful and against the principles of natural justice and consequently direct the 4th respondent not to disturb the petitioners from peaceful possession and living in their house.

For Petitioners
in all W.Ps., : Mr.K.Anandan

For Respondents
in all W.Ps., : Mr.P.Gandhiraj
Special Government Pleader



WEB COPY

COMMON ORDER

(Common Order of the Court was made by S.SRIMATHY, J.)

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2.The petitioners have challenged the notices issued by the fourth respondent, dated 22.04.2025, wherein it has been clearly stated that the petitioners have encroached a portion in Karungkottankulam Canal.

3.The learned counsel for the petitioners submits that the petitioners have purchased the land from the earlier vendor.

4.While perusing the sale deed, it is seen that in the four boundaries, on the southern side, Karungkottankulam Canal is shown as one of the boundaries. Therefore, the respondents are directed to conduct a survey in the Karungkottankulam Canal. If any portion is encroached in the Karungkottankulam Canal, the same shall be removed by the respondents. The



WEB COPY

survey may be conducted in the presence of the petitioners and thereafter, the further process may go on.

5. With the aforesaid directions, these Writ Petitions stand disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

[S.S.Y.,J.] & [R.V.,J.]
21.05.2025

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

mm

To

1. The Secretary to Govt.,
Water Resource Department,
Fort St. George,
Chennai -09.
2. The District Collector,
O/o. the District Collector, Theni.
3. The Executive Engineer,
Periyar Dam Special Division,
Water Resource Department,
Cumbum, Theni District.

4/6



WEB COPY

4.The Assistant Engineer,
Water Resource Department,
Theni Highway,
Uthamapalayam,
Theni District.



WEB COPY



S.SRIMATHY, J.
and
R.VIJAYAKUMAR, J.

mm

**COMMON ORDER MADE IN
W.P(MD) Nos.14400 to 14403 of 2025**

DATED : 21.05.2025