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W.P.(MD)NO.15186 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.15186 of 2021

P.Masilamani

... Petitioner

Vs.

1. The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

2. The Block Development Officer(Panchayats),
Manapparai Panchayat Union,
Manapparai District.

3. The Tahsildar,
Manapparai Taluk,
Tiruchirappalli District.

4. Pon Alagu

5. Sathiyamurthy

6. Ponnar

7. Varadharaj

8. Sivakumar

9. A.Muniyappan

(R-8 & R-9 are impleaded vide order dated 14.08.2025

in W.M.P.(MD)No.21121 of 2023.)

... Respondents



Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to remove the encroachments made by the respondents 4 to 7 or any other person in Muthukaruppa Pillai Kulam situated in survey No.80, Puthanatham Village, Manapparai Taluk, Tiruchirappalli District.

For Petitioner : Mr.D.Sivaraman
For R-1 to R-3 : Mr.C.Venkatesh Kumar,
Special Government Pleader.
For R-2 : Mr.B.Saravanan
For R-6 & R-7 : Mr.S.Shanmugam
For R-4 & R-5 : No appearance.

* * *

ORDER

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the official respondents.

2. Issuance of notice to the private respondents is dispensed with.



3. The petitioner is a permanent resident of Kurumalaipatti Village. He alleges that in survey No.80 Puthanatham Village which is a water body, there are encroachments.

4. This writ petition was filed way back in the year 2021. In the counter affidavit, the allegations of the petitioner have been admitted. Paragraph Nos.5 and 6 of the counter affidavit read as follows:-

“5. I respectfully state that in response to the second respondent's proceedings, the third respondent had directed the surveying authority to conduct survey in S.No.80, Puthanatham Village, Manapparai Taluk, Tiruchirappalli District and submit a detailed report. As a result, the revenue team had conducted inspection and submitted survey report dated 29.01.2021 before the third respondent. As per the survey report, S.No.80, Puthanatham Village, is having a total extent of 6.95.0 ares. The said survey number has been classified as Government poramboke Muthukaruppa Pillai Kulam. Further, in the said water body, there are some encroachments made by some private persons including the private



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respondents herein. They have put up four thatched houses and in the western side one tiled roof house and a partly constructed house in the above said water body.

6. I respectfully state that as per the report submitted by the revenue authorities, the third respondent vide his proceedings in Na.Ka.A2/3797/2021 dated .09.2021, asked the second respondent to take necessary action to remove the encroachments in the said water body. In this regard, the second respondent is now taking steps to remove the encroachments.”

5. We direct the third respondent to take action as per law. All the encroachments will have to be removed. We grant five months time from today to complete this exercise. This writ petition stands allowed accordingly. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
14th August 2025

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

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To:

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Tiruchirappalli District,
Tiruchirappalli.
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