

W.P.(MD)No.15193 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 10.06.2025

CORAM

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

W.P(MD)No.15193 of 2025
and
W.M.P.(MD)No.11480 of 2025

K.Chinnadurai

... Petitioner

Vs.

- 1.The Secretary to Government,
Revenue and Disaster Management Department,
Secretariat,
Fort St.George Building,
Chennai-600 009.
- 2.The Commissioner of Land Administration,
Ezhilagam,
Chepauk,
Chennai-600 005.
- 3.The District Collector,
Collectorate,
Pudukkottai District,
Pudukkottai.
- 4.The District Revenue Officer,
District Revenue Office,
Pudukkottai District,
Pudukkottai.



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5.The Revenue Divisional Officer,
Illupur Revenue Division,
Illupur,
Pudukkottai District.

6.The Tahsildar,
Taluk Office,
Ponnamaravathi Taluk,
Ponnamaravathi,
Pudukkottai District.

7.Palanichamy

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the sixth respondent in Na.Ka.No.8730/2018/A2, dated 13.05.2025 and quash the same and consequently, direct the respondents 1 to 6 to take appropriate steps in the light of the report of the sixth respondent in Na.Ka.No.495/2025/A4, dated 18.02.2025 in respect of S.F.No.299/3 of Keezhathaniyam Village, Ponnamaravathi Taluk, Pudukkottai District.

For Petitioner :Mr.N.Balakrishnan

For Respondents :Mr.C.Venkatesh Kumar
Special Government Pleader
for R1 to R6

: Mr.G.Prabhu Rajadurai
for Mr.Babu Rajendiran
for R7



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ORDER

Heard both sides.

2. The petitioner challenges the memorandum dated 13.05.2025 issued by the Tahsildar, Ponnamaravathi, calling upon the petitioner to vacate the land comprised in Survey No.299/3, Keezhathaniyam Village.

3. The learned counsel for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to set aside the impugned memorandum.

4. We are unable to accept any of the arguments putforth by the learned counsel for the petitioner. This is for simple reason that the impugned memorandum is only a fallout of the earlier order passed by this Bench in W.P. (MD)No.12919 of 2024. Copy of the said order reads as follows:-

“Heard the learned counsel for the petitioner and the learned Government Advocate for the first respondent. Issuance of notice to the second respondent is dispensed with.

2.The case of the petitioner is that the second respondent has encroached the petition mentioned water body. It is seen that order under Section 6



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of the Act was passed as early as on 09.11.2023 and that appeal as well as the revision filed by the second respondent suffered dismissals. In these circumstances, nothing should come in the way of the first respondent from clearing the encroachment in question. The first respondent is directed to take the process to its logical conclusion. The entire exercise will be completed within a period of six months from the date of receipt of copy of this order.

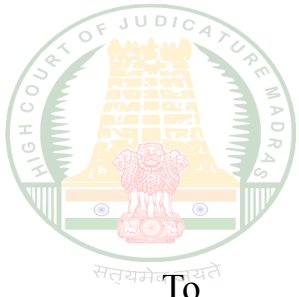
3.This writ petition is allowed.”

5. This order has attained finality. Therefore, the petitioner has no option but to forthwith vacate. Interference with the impugned memorandum is not warranted.

6. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
10.06.2025

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