



W.P(MD)No.15697 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.06.2025

CORAM

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

W.P(MD)No.15697 of 2025

P.Vaithiyanathan

... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Revenue Divisional Officer,
Thanjavur District,
Thanjavur.

3.The Tahsildar,
Kumbakonam Taluk,
Thanjavur District.

4.The Block Development Officer,
Sholapuram Town Panchayat,
Kumbakonam Taluk,
Thanjavur District.

5.K.Kannan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encroachment



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made by one Kannan, S/o Kaliyaperumal in Government Promboke Kulam in S.No.133/5, situated at Vilathandam Village, Sholapuram Town Panchayat, Kumbakonam Taluk, Thanjavur District, by considering the petitioner's representation dated 03.05.2025.

For Petitioner : Ms.S.Prabha

For Respondents : Mr.C.Venkatesh Kumar
Special Government Pleader
for R.1 to R.3

Mr.R.Suresh Kumar
Additional Government Pleader
for R.4

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Special Government Pleader appearing for the respondents 1 to 3 and the learned Additional Government Pleader appearing for the fourth respondent. Considering the nature of relief to be granted, issuance of notice to the fifth respondent is dispensed with.

2.The petitioner is a resident of Vilandhakandam Village. He alleges that in Survey No.133/5 which has been classified as a “tank” there are encroachments. Seeking the removal, this Writ Petition came to be filed.



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3. When the matter was taken up for hearing, the learned Special Government Pleader confirmed that Survey No.133/5 is “tank” but there are no encroachments in the tank. He submitted that there are encroachments in the channel leading to the tank. He undertook on instructions from the Tahsildar, Kumbakonam that all the encroachments in the leading channels will also be removed.

4. We direct the third respondent to issue notices to all the encroachers. They shall be given due opportunity. After holding a proper enquiry and adhering to due process of law, all the encroachments shall be cleared. The entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

5. This Writ Petition is allowed accordingly. There shall be no order as to costs.

[G.R.S., J.] [B.P., J.]
12.06.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

MGA

To

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