



W.P.(MD)No.16719 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

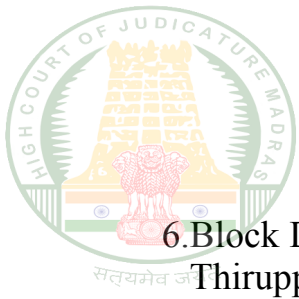
W.P.(MD)No.16719 of 2020

Rajagopal

... Petitioner

-Vs-

- 1.The Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai-600 005.
- 2.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 3.The District Revenue Officer,
Ramanathapuram District.
- 4.The Sub Collector,
Revenue Divisional Office,
Ramanathapuram,
Ramanathapuram District.
- 5.The Tahsildar,
Keezhakarai & Taluk,
Ramanathapuram District.



W.P.(MD)No.16719 of 2020

6. Block Development Officer,
Thiruppullani,
Ramanathapuram District.

7. Village Administrative Officer,
Kanjirankudi,
Keezhakarai Taluk,
Ramanathapuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to restore the Survey No.410 with an extent of 01.16.0 Hectare, Survey No.417 with an extent of 00.78.50.0 Hactare, Survey No.102/1 with an extent of 0.75.5 Hectare, Survey No.99 with an extent of 0.14.5 Hectare and Survey No.98 with an extent of 01.6.0 Hectare at Kanjirankudi Panchayat Union, Keezhakarai Taluk, Ramanathapuram District, to its original position as “Oorani and Water Tank” as it is being used as water body on the ground cancelling the patta granted.

For Petitioner : M/s.M.Sakundala Devi

For Respondents : Mr.M.Ajmalkhan,
Additional Advocate General
Assisted by Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

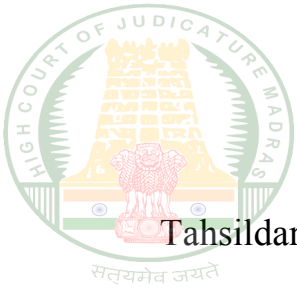


W.P.(MD)No.16719 of 2020

The writ of mandamus has been instituted to direct the respondents to restore the Survey Nos.410, 417, 99 and 98 situated at Kanjirankudi Panchayat Union, Keezhakarai Taluk, Ramanathapuram District.

It is not in dispute that encroachments are identified in water body. The Courts have time and again reiterated that encroachments in water body cannot be permitted and all such encroachments ought to be removed for preserving the water, which is lying to the citizen. Preservation of water is of paramount importance to cater the needs of the public in a particular locality. Therefore, there cannot be any leniency in the matter of eviction of encroaches from the water bodies. The Honorable Supreme Court also reiterated the said principles time and again and ordered for removal of encroachments in water bodies.

While considering the issues, it is brought to the notice of this Court that some encroachers are landless poor people and in occupation of the water body for a long period. Their livelihood also is to be protected. Therefore, this Court directed the respondents to identify an alternate Government promboke land, wherein the landless poor people can be allotted free house site patta in terms of Revenue Standing Order No.21. Pursuant to the said directions, Mr. Ajmalkhan, learned Additional Advocate General,, based on the written instructions of the



W.P.(MD)No.16719 of 2020

Tahsildar, would submit that alternate land has already been identified and the authorities have to find out the eligible landless poor people for the purpose of providing free house site patta. After issuing free house site patta to these eligible landless poor people, though the encroachments will be removed from the water body and the said water body will be protected and preserved in the public interest. An alternate Natham land has been identified in Survey No.321/1 measuring 4.85.5 hectares. The said land was classified as “Government Promboke(Tharisu)” and Survey No.102/1 is also classified as Government Promboke Natham. Therefore, free house site patta will be issued based on the eligibility and by following RSO 21.

The learned Additional Advocate General would submit that for completing the entire process, the authorities requires six months time.

In view of the said submission, the respondents are directed to consider the request of the landless poor people, who are all the encroaches in water body and find out their eligibility to avail free house site Patta under the government scheme and issue Pata in terms of RSO 21 and thereafter all encroaches from the water body are directed to be removed and the said water body is to be protected for in



W.P.(MD)No.16719 of 2020

the preservation of water for the benefit of the people at large. The entire exercise is directed to be completed within a period of six months from the date of receipt of a copy of this order.

Accordingly, this Writ Petition stands disposed of.

(S.M.S., J.) & (G.A.M., J.)
19.08.2025

NCC : Yes / No
Index : Yes / No
cp

S.M.SUBRAMANIAM, J.
AND
G.ARUL MURUGAN, J.
cp

To

- 1.The Chief Secretary,
State of Tamil Nadu,
Secretariat, Chennai-600 009.
- 2.The Home Secretary,
State of Tamil Nadu,
Secretariat, Chennai-600009.

5/6



WEB COPY



W.P.(MD)No.16719 of 2020

W.P.(MD)No.16719 of 2020

19.08.2025