



W.P(MD)No.18346 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 29.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.18346 of 2020
and
W.M.P.(MD) No.15327 of 2020**

1. P. Pirangkalliappan

2. P.Seenimalai Gounder

... Petitioners

Vs

1. State Rep .By,
The District Collector,
Dindigul District, Dindigul.

2. State Rep . By,
The District Revenue Officer,
Office of the District Revenue Officer,
Dindigul.

3. State Rep.By,
The Revenue Divisional Officer / Sub Collector,
Palani, Dindigul District.

4. The Thasildar,
Oddanchatram Taluk,
Dindigul District.



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5. The Firka Surveyor,
Kallimandayam,
Oddanchatram Taluk,
Dindigul District.

6. Karuppusamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of certiorari to call for the records pertaining to impugned order of the 4th respondent in Na.Ka.No. 1252/2019/E3 dated 05.04.2019 and quash the same as illegal and arbitrary and consequently directing the respondents 1 to 5 to survey the Odai Poramboke in S.No.349 and S.No.348 and to remove the encroachment by the 6th respondent in Odai Poramboke and to build a check dams to preserve the natural resources leading to additional irrigation potential.

For Petitioners : Mr. R. Senthil Kumar

For Respondent : Mr.P.Thilak Kumar (R1-R5)
Government Pleader



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ORDER

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[Order of the Court was made by S.M.SUBRAMANIAM, J.]

Patta granted in favour of the sixth respondent herein is under challenge in the present writ proceedings.

2.The learned Counsel for the petitioners would submit that patta was granted illegally for water body and therefore, the said patta is to be cancelled.

3.During the pendency of the writ petition, the Tahsildar conducted an enquiry and found that S.No.348 of Kariyampatti Village is a patta land owned by the sixth respondent having Patta No.2094 of Kariyampatti Village. Thus, no further action is required in respect of S.No.348. Regarding S.No.349, the area has been classified as "Odai". Once again survey was conducted by the Surveyor on 19.12.2020. During the inspection and survey, it is ascertained that the sixth respondent has encroached an extent of 0.04.14 ares in S.No.349 by constructing wire fence and using the encroached area for cultivation purposes.



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4.Since the water body has been encroached upon by the sixth respondent, which was already identified by the revenue authorities, the respondents 3 and 4 are directed to initiate enforcement action by following the procedures as contemplated under the relevant Act and Rules and remove the encroachments from the water body, within a period of twelve weeks, from the date of receipt of a copy of this order.

5.With the above direction, the writ petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[S.M.S., J.] [A.D.M.C., J.]
29.07.2025

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

LR



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and
DR.A.D.MARIA CLETE, J.

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