



W.P.(MD)No.17091 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 24.06.2025

CORAM

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

W.P(MD)No.17091 of 2025

A.Vasanthi

... Petitioner

Vs.

1.The District Collector / Monitoring Committee,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Ponnamaravathi Taluk,
Pudukkottai District.

3.The Block Development Officer,
Ponnamaravathi Panchayat Union,
Ponnamaravathi Taluk,
Pudukkottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 3 not to evict the petitioner from the southern portion of land in S.F.No.624 situated at Kandiyathanam Village, Thoothur Taluk, Pudukkottai District without following due process of law and consequently, direct the first respondent to consider the petitioner's representation dated 03.02.2025 to reclassify the southern portion of S.F.No.



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624 situated at Kandiyathanam Village, Thoothur Taluk, Pudukkottai District as
Nathan Land and grant patta to the petitioner within a time stipulated by this
Court.

For Petitioner :Mr.A.Arul Jenifer

For Respondents :Mr.C.Venkatesh Kumar
Special Government Pleader
for R1 & R2

: Mr.Shaji Bino
for R3

ORDER

Heard both sides.

2. *Prima facie*, it appears that the petitioner is in occupation of a portion of a water body. In order to stave off the eviction proceedings at the hands of the respondents, the present writ petition has been filed for forbearing the respondents from evicting her except by due process of law.

3. The learned Special Government Pleader informs the Court that already notice has been issued.



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4. We permit the respondents to take the process to its logical conclusion. The respondents strictly adhere to the due process of law. Opportunity shall be provided to the petitioner to putforth her case. If the respondent finds the petitioner to be in occupation of a water body, she has to be necessarily evicted.

5. The petitioner's counsel states that the petitioner is a landless poor person. If that be so, the petitioner can very well make an application before the District Collector, Pudukkottai. If the petitioner is eligible, the first respondent will consider allotting her an alternative site or accommodation. The petitioner of-course has to file an affidavit undertaking to remove the encroachment in the event the respondents find her to be an encroacher. The petitioner also has to be given sufficient breathing time to shift to an alternative site.

6. The Writ Petition is disposed of accordingly. No costs.

[G.R.S., J.] [B.P., J.]
24.06.2025

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

B.PUGALENDHI, J.

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To

- 1.The District Collector / Monitoring Committee,
Pudukkottai District,
Pudukkottai.
- 2.The Tahsildar,
Ponnamaravathi Taluk,
Pudukkottai District.

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