



W.P(MD)No.17850 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.07.2025

CORAM

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

**W.P(MD)No.17850 of 2025
and
W.M.P(MD)No.13660 of 2025**

Amirthakumar

... Petitioner

Vs.

1.The Assistant Executive Engineer,
Water Resources Department,
Vadankankulam,
Tirunelveli District.

2.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the proceedings of the first respondent made in proceedings in Order No.Ko15/132/2025, dated 10.06.2025 and quash the same.



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W.P(MD)No.17850 of 2025

For Petitioner : Mr.S.Premkumar
For Respondents : Mr.N.Ramesh Arumugam
Government Advocate

ORDER

Heard both sides.

2.The petitioner challenges the impugned Form – 3 notice on the ground set out in the affidavit filed in support of the writ petition.

3.We had a look at the A-Register. It is seen therefrom that Survey No.932/2, Perungudi has been shown as a “water body” (Vadakkankulam). The petitioner does not challenge the said classification. The stand of the petitioner is that he has constructed a house in Survey No.934/17A. We make it clear that while it is open to the respondents to proceed to enforcement of the impugned Form – 3 notice in respect of Survey No.932/2, they shall not touch the petitioner's patta land in Survey No.934/17A. We also direct the respondents to ensure that all the encroachments in Survey No.932/2 are cleared.



W.P(MD)No.17850 of 2025

4.This writ petition is disposed of accordingly. There shall be no

order as to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
03.07.2025

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

To

1.The Assistant Executive Engineer,
Water Resources Department,
Vadankkankulam,
Tirunelveli District.

2.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.



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