



W.P(MD)No.17953 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.17953 of 2025

M.Selvaraj Swamidhasan

... Petitioner

Vs.

1.The District Collector,
Tirunelveli,
Tirunelveli District.

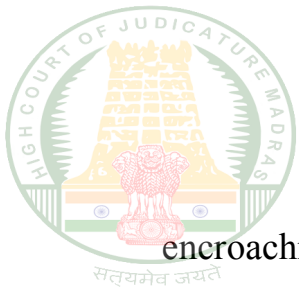
2.The Revenue Divisional Officer,
Revenue Divisional Office,
Tirunelveli,
Tirunelveli District.

3.The Tahsildar,
Nanguneri Tahsildar Office,
Nanguneri,
Tirunelveli District.

4.D.Dharmaraj

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the



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encroachment made in S.No.295, Kalakad Part I, Kalakad Village, Tirunelveli District which is classified as “Water Canal” by considering the representation of the petitioner dated 18.09.2021 by invoking the provisions of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007.

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

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3. Issuance of notice to the fourth respondent is dispensed with.

2.The petitioner is a resident of Kalakad Village. He alleges that the fourth respondent has committed encroachment in Survey No.295. He wants the same to be removed.

3.When the matter was taken up for hearing, the learned Special Government Pleader confirmed that Survey No.295 is a water body. It is further claimed that Form – 1 notice has already been issued.



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4.We direct the third respondent to issue notice to the fourth respondent, conduct survey after putting the fourth respondent on notice and remove the encroachment, if established only by adhering to due statutory procedure. The fourth respondent shall be given due opportunity. 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 disposed of accordingly. There shall be no order as to costs.

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

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

To

1.The District Collector,
Tirunelveli,
Tirunelveli District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Tirunelveli,
Tirunelveli District.



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3.The Tahsildar,
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