



W.P(MD)No.18495 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 10.07.2025

CORAM

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

W.P(MD)No.18495 of 2025

Rajesh

... Petitioner

Vs.

- 1.The District Collector /
The Chair Person,
District Monitoring Committee,
Collectorate Building,
Theni District,
Theni.
- 2.The Revenue Divisional Officer /
The Convenor,
Divisional Monitoring Committee,
Revenue Divisional Office,
Uthamapalayam Division,
Uthamapalayam.
- 3.The Tahsildar / Member,
Divisional Monitoring Committee,
Uthamapalayam Taluk,
Theni District.



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4.The Assistant Engineer,
Water Resources Department,
Theni.

5.The Special Officer,
Odaipatti Town Panchayat,
Uthamapalayam Taluk,
Theni District.

6.J.Sakthivel

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachment (Odai Neer Vali) in Survey No. 44, 45, 52, 53, 54, 66, 99, 110/8, 111/3, 102/3, 117/4, and 116/2, Odaipatti Village, Uthamapalayam Taluk, Theni District and consequently direct the respondents 1 to 5 to restore channel by consider the petitioner's representation dated 25.05.2024.

For Petitioner : Mr.J.M.Arvind Pawlraj

For Respondents : Mr.C.Venkatesh Kumar
Special Government Pleader
for R.1 to R.4

Mr.D.Sasi Kumar
Additional Government Pleader
for R.5

ORDER

Heard both sides.

2.The petitioner is a resident of Odaipatti Village. He alleges that in the petition mentioned canal which runs through several survey numbers in the



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Odaipatti Village, there are encroachment. He specifically alleges that one Sakthivel had planted coconut trees. He wants the encroachment to be cleared.

3.When the matter was taken up for hearing, the learned Special Government Pleader on written instructions from the fourth respondent submitted that the encroachments have been identified and they have also been cleared. They further undertake that the free flow of water through the petition mentioned canal will be ensured.

4.Recording the stand of the official respondents that the encroachments have been removed and future encroachments will be prevented, this Writ Petition is allowed accordingly. There shall be no order as to costs.

[G.R.S., J.] [B.P., J.]
10.07.2025

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

To

1.The District Collector /
The Chair Person,
District Monitoring Committee,
Collectorate Building,
Theni District, Theni.

3/5



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WEB COPY 2.The Revenue Divisional Officer /
The Convenor,
Divisional Monitoring Committee,
Revenue Divisional Office,
Uthamapalayam Division,
Uthamapalayam.

3.The Tahsildar / Member,
Divisional Monitoring Committee,
Uthamapalayam Taluk,
Theni District.

4.The Assistant Engineer,
Water Resources Department,
Theni.

5.The Special Officer,
Odaipatti Town Panchayat,
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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

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