



W.P(MD)No.3527 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.12.2025

CORAM

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

W.P(MD)No.3527 of 2018
and
W.M.P.(MD)No.3664 of 2018

M.Chelladurai

... Petitioner

Vs.

- 1.Govt of Tamilnadu,
Rep. by its Principal Secretary,
Department of Revenue Administration,
Fort St.George, Chennai.
- 2.The District Collector,
O/o.The District Collectorate,
Tirunelveli District,
Tirunelveli.
- 3.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Alankulam Taluk, Tenkasi,
Tirunelveli District.
- 4.The Tahsildar,
O/o.Thasildar,
Alangulam Taluk,
Tirunelveli District,



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Tirunelveli.

5.The Executive Engineer,
O/o.The Executive Engineer,
The Public Works Department,
Citrarvadinila Kottam Kudiyirupu,
Tenkasi, Tirunelveli District,
Tirunelveli.

6.Alangulam Panchayat Union Council,
Rep By The Special Officer,
O/o.Alangulam Panchayat Union,
Alangulam, Tirunelveli District,
Tirunelveli.

7.M/s.Leit Wind Shriram Manufact Ltd.,
Rep. by tis Authorised Signatory,
J.Sriram, Sigappi Achi Building,
4th Floor, 18/3, Rukmani Lakshmipathi Road,
Egmore, Chennai – 600 008.

8.Neyveli Lignite Corporation Limited,
Represented by the Chairman and Managing Director,
Cuddalore District, Neyveli.

... Respondents

*(R8 is suo motu impleaded vide order dated
27.03.2025 in W.P.(MD)No.3527 of 2018 by
GRSJ & BPJ)*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent Nos.1 and 2 to change the classification as tank pertaining to all subdivisions made in Survey Nos.5/3, 5/5, 55/6, 5/7, 5/9, 5/12, 5/13, 5/14, 5/15, 5/16, 5/17, 5/18, 5/19 in an extent of 0.09.5, 0.05.5, 0.09.5, 0.05.5, 0.05.0, 0.12.0, 0.080, 0.07.5, 0.08.5, 0.05.0, 0.05.0, 0.05.0, 0.08.0



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hectares of wet lands respectively situated at Narayanapuram Village, Alangulam Taluk, Tirunelveli District and to remove the construction and encroachments made by respondent No.7 in Nos.5/3, 5/5, 55/6, 5/7, 5/9, 5/12, 5/13, 5/14, 5/15, 5/16, 5/17, 5/18, 5/19 in an extent of 0.09.5, 0.05.5, 0.09.5, 0.05.5, 0.05.0, 0.12.0, 0.080, 0.07.5, 0.08.5, 0.05.0, 0.05.0, 0.05.0, 0.08.0 hectares of wet lands respectively situated at Narayanapuram Village, Alangulam Taluk, Tirunelveli District and to remove the construction and encroachments made therein.

For Petitioner : Mr.R.Bala Krishnan

For Respondents : Mr.C.Venkatesh Kumar,
Spl. Government Pleader for R1 to R5.
Mr.K.Saravanan for R6.
Mr.T.Sakthi Kumaran for R7.
Mr.K.R.Laxman for R8.

ORDER

Heard both sides.

2.It is true that some of the petition mentioned survey numbers were classified as Kanmoi. The counter affidavit filed the Tahsildar, Alangulam states that survey numbers have been reclassified and patta was issued way back in the year 1973. To this averment made in



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Paragraph No.6 of the counter affidavit filed by the Tahsildar, Alangulam, there is no rejoinder or reply affidavit.

3.We, therefore, proceed on the footing that the survey numbers in question became patta lands way back in the year 1973. The seventh respondent herein had purchased the lands from the patta holders and put up wind mills and handed over the same to Neyveli Lignite Corporation Limited.

4.Our attention is drawn to the order dated 14.07.2017 made in W.P.(MD)No.13022 of 2017 filed by one Chithiraivel. The seventh respondent herein figured as tenth respondent therein. The survey numbers broadly overlap. A learned Judge of this Court dismissed the writ petition and levied cost of Rs.25,000/- on the writ petitioner.

5.The principle of *res judicata* even applies to public interest litigation. In view of the dismissal of the writ petition filed on the same cause of action, the present writ petition is not maintainable. The writ petition stands dismissed. No costs. Consequently, connected



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miscellaneous petition is closed.

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(G.R.S.J.,) & (B.P.J.,)
04.12.2025

NCC : Yes/No

Index : Yes / No

Internet : Yes/ No

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To:-

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O/o.The District Collectorate,
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O/o.The Revenue Divisional Officer,
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