

W.P(MD)No.18958 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.18958 of 2025

and

W.M.P(MD)No.14521 of 2025

Kalpana

... Petitioner

Vs.

1.The Commissioner,
Trichy City Corporation,
Bharathidasan Salai,
Cantonment,
Trichy -1,
Trichy District.

2.The Tahsildar (West)
Taluk Office,
Trichy,
Trichy District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein not to construct drainage on the petitioner's property mentioned above situated at Trichy District, Trichy Taluk (West), Ponmalai Zone, Pirattiyur (East) Village, Old S.F.No. 191/24, New S.F.No. 58/24, New Ward AL, New Block 28, New T.S.No. 181, admeasuring 3827 1/2 square feet without any land acquisition proceedings in the light of petitioner's representation dated 02.07.2025.



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For Petitioner : Mr.H.Jahir Hussain
For R1 : Mr.K.R.Kishore Ram
For M/s.K.B.Law Associates
For R2 : Mr.D.Ghandiraj
Special Government Pleader

ORDER

This writ petition has been filed for a Mandamus to direct the respondents not to construct drainage on the petitioner's property in Old S.F.No. 191/24, New S.F.No. 58/24, New Ward AL, New Block 28, New T.S.No. 181, admeasuring 3827 1/2 square feet at Trichy District, Trichy Taluk (West), Ponmalai Zone, Pirattiyur (East) Village, without any land acquisition proceedings in the light of petitioner's representation dated 02.07.2025.

2. Mr.K.R.Kishore Ram, learned counsel takes notice for the first respondent and Mr.D.Ghandiraj, learned Special Government Pleader takes notice for the second respondent.

3. The learned counsel for the petitioner submits that a partition suit in respect of the subject property is pending between the petitioner and one



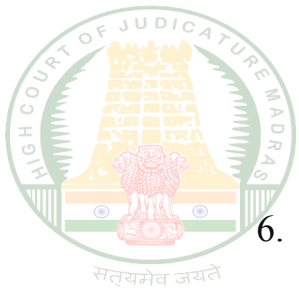
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Balakrishnan and Muthukumaran in O.S.No.87 of 2025, on the file of the

Additional District Sessions Judge – II, Trichy. He further submits that the first respondent has laid a drainage line on the patta land of the petitioner in respect of which the petitioner has a right. It is also submitted that a substantial portion of the construction has already been completed by the respondents and therefore, the petitioner has sent a representation on 02.07.2025.

4. Considering the fact that the construction has been substantially completed, I direct the first respondent to consider the petitioner's representation dated 02.07.2025 and pass appropriate orders, following due process of law, within a period of two weeks from the date of receipt of a copy of this order.

5. It is also made clear that in case, if the construction has been made on the patta land, the first respondent shall remove the construction and restore the property to its original position without prejudice to the rights of the respondents.



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6. The writ petition stands disposed of. No costs. Consequently the connected miscellaneous petition is closed.

14.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

1.The Commissioner,
Trichy City Corporation,
Bharathidasan Salai,
Cantonment,
Trichy -1,
Trichy District.

2.The Tahsildar (West)
Taluk Office,
Trichy,
Trichy District.



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C.SARAVANAN, J.

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