



W.P(MD)No.19211 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2025

CORAM

THE HON'BLE MR.JUSTICE S.SOUNTHAR

W.P(MD)No.19211 of 2025

H.Lenin Samuel

... Petitioner

Vs.

1.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.

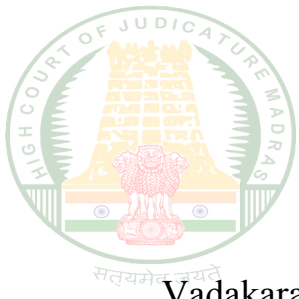
2.The Taluk Surveyor (in charge),
Sambavar Vadakarai,
Kadayanallur Taluk,
Tenkasi District.

3.Assistant Engineer,
Irrigation Section,
Tenkasi District.

4.Madasamy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner, dated 30.06.2025 and thereby measure the lands in Survey Nos.512, 513 and 514 located at Sambavar



W.P(MD)No.19211 of 2025

Vadakarai, Kadayanallur Taluk, Tenkasi District and fix the boundaries and pass such further orders as this Court.

For Petitioner : Mr.T.S.Mohamed Mohideen

For R-1 to R-3 : Mr.A.Baskaran
Additional Government Pleader

ORDER

The writ petition is filed seeking a direction to the respondents to consider the representation of the petitioner, dated 30.06.2025 and measure the lands in S.No.512, 513 and 514 located in Sambavar Vadakarai Village, Kadayanallur Taluk, Tenkasi District.

2. According to the petitioner, he is having agricultural lands in S.No.514. He received a notice for survey of the land situated in S.No.514 from the respondents. The petitioner submitted a representation on 30.06.2025 requesting the respondents to survey the adjacent survey numbers in 512 and 513 also, so that, the encroachment on the stream running through those survey numbers can be correctly fixed. The said representation has not been considered. Hence, the petitioner has come before this Court.

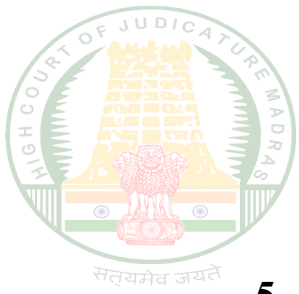


W.P(MD)No.19211 of 2025

WEB COPY

3. Mr.A.Baskaran, learned Additional Government Pleader, who takes notice for the respondents 1 to 3.

4. Based on instructions from the first respondent through his letter KNRTLK/2216/2024-B2, dated 16.07.2025 the learned Additional Government Pleader submitted that the fourth respondent herein submitted a representation before the official respondents seeking removal of encroachment in water body called irataikulam kanmaai and Malukankulam channel. Pursuant to the said representation, notices have been issued to the petitioner and other neighboring occupants under provisions of land encroachment for removal of encroachment on water body. When the official respondents attempted to remove the encroachment on water body, it was opposed by the neighboring land owners on the ground that the survey of the water body was not done in the presence of the neighboring land owners. He would further submits that the instant writ petition has been filed just to resist the step taken by the official respondents to remove the encroachment on water body.



W.P(MD)No.19211 of 2025

WEB COPY

5. The official respondents already issued notice to the petitioner for survey of land situated in S.No.514 to identify encroachment, if any, on the water body running through S.No.514. The encroachment on water body is highly objectionable one and the respondents are at liberty to survey the land situated in S.No.514 and remove the encroachment, if any. The main grievance of the petitioner appear to be the lands in S.No.512 and 513 have not been measured by the respondents and encroachment on water body running through those survey numbers have not been removed. Therefore, it is made clear that the respondents shall not only remove the encroachment found on water body running through S.No.514, they should also remove encroachment, if any found in other S.No.512 and 513.

6. With these clarification, the writ petition stands disposed of. There shall be no order as to costs.

17.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



W.P(MD)No.19211 of 2025

WEB COPY

- To
- 1.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.
 - 2.The Taluk Surveyor (in charge),
Sambavar Vadakarai,
Kadayanallur Taluk,
Tenkasi District.
 - 3.Assistant Engineer,
Irrigation Section,
Tenkasi District.



WEB COPY



W.P(MD)No.19211 of 2025

S.SOUNTHAR, J.

BTR

W.P(MD)No.19211 of 2025

17.07.2025