



W.P.(MD)No.20345 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.07.2025

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

W.P(MD)No.20345 of 2025

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... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Sivagangai.
- 2.The District Revenue Officer,
Sivagangai District,
Sivagangai.
- 3.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
- 4.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.
- 5.The Block Development Officer,
Sakkottai Panchayat Union,
Puduvayal Post,
Karaikudi Taluk,
Sivagangai District.



W.P.(MD)No.20345 of 2025

6. The Executive Officer,
Kandanur Town Panchayat,
Kandanur,
Karaikudi Taluk,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the 1st respondent and his servant or agent to remove the encroachment available in the Survey No.16, 155, 157 and 159 of Palaiyur Revenue Village of Karaikudi Taluk and make available passage for public movement without any restriction, by considering the petitioner's representation, dated 27.03.2025 within the time fixed by this Court.

For Petitioners :Mr.K.K.Samy

For Respondents :Mr.N.Ramesh Arumugam
Government Advocate
for R1 to R4

: Mr.M.Gangatharan
for R5 & R6

ORDER

Heard the learned counsel for the writ petitioner and the learned Government Advocate appearing for the official respondents. Issuance of notice to the private respondents is dispensed with.



W.P.(MD)No.20345 of 2025

WEB COPY

2. The petitioner is a resident of Palaiyur Village. According to him, the petition mentioned survey numbers are water bodies and that the private respondents have encroached upon the same.

3. When the matter was taken up for hearing, the learned Government Advocate on written instructions from the Tahsildar, Karaikudi submitted that the numbers given by the writ petitioner are incorrect and that the survey No. 157 alone has been classified as water body. He concedes that there are encroachment in the said survey number.

4. In this view of the matter, we direct the fourth respondent to conduct survey. Notice shall be given to all the interested persons & encroachers before conducting survey. If the survey results indicate that there are encroachments in the water body, the same shall be removed. All the encroachers shall not only be put on notice but also given due opportunity. All the encroachments shall be cleared within a period of four months from the date of receipt of a copy of this order.



W.P.(MD)No.20345 of 2025

WEB COPY 5. The Writ Petition is disposed of accordingly. We grant liberty to the petitioner to file a fresh writ petition for clearing the encroachments in the Government poromboke lands. No costs.

[G.R.S., J.] [B.P., J.]
30.07.2025

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

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Sivagangai.
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W.P.(MD)No.20345 of 2025

G.R.SWAMINATHAN, J
and
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rmi

W.P(MD)No.20345 of 2025

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