



W.P.(MD)No.21423 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.08.2025

CORAM

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

W.P(MD)No.21423 of 2025

S.Sundarraaj

... Petitioner

Vs.

**1.The District Collector,
Theni District.**

**2.The Assistant Director,
Personal Assistant to the District Collector,
Theni District.**

**3.The Revenue Divisional Officer,
Thamaraikulam,
Periyakulam,
Theni District.**

**4.The Tahsildar,
Theni Taluk,
Theni District.**

**5.The Block Development Officer,
Office of the Block Development Officer,
Theni District.**

6.S.Kaleeswaran

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 5 remove the encroachment made in the water body in S.F.No.482, Jangalpatty Village, Theni Taluk and District.

For Petitioner :Mr.P.Ganapathi Subramanian

For Respondents :Mr.C.Venkatesh Kumar
Special Government Pleader
for R1 to R4
: Mr.B.Saravanan
for R5

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader for R1 to R4 and the learned counsel for R5. Issuance of notice to R6 is dispensed with.

2. The petitioner is a resident of Naduthuru Village. He alleges that in the petition mentioned survey number, the sixth respondent has committed encroachment. Since the representation given by the petitioner was not acted upon, the present writ petition came to be filed.



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3. When the matter was taken up for admission, the learned Special Government Pleader submitted that the subject survey number has been classified as a water body and that the sixth respondent has put up fencing thereon and that there are also standing trees. It is further undertaken by the authorities that the encroachment committed by the sixth respondent will be fully removed. They seek four months time. Time is granted.

4. Mandating the fourth respondent to adhere to due process of law and to remove the encroachment after issuing notice to the encroachers, the writ petition is allowed. No costs.

[G.R.S., J.] [B.P., J.]
07.08.2025

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

1.The District Collector,
Theni District.

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Periyakulam,
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