



W.P(MD)No.174 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 10.01.2025

CORAM

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

W.P(MD)No.174 of 2025

K.Kasilingam

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Devakkottai,
Sivagangai District.

3.The Tahsildar,
Devakkottai Taluk,
Sivagangai District.

4.The Revenue Inspector,
Kannankudi,
Devakkottai Taluk,
Sivagangai District.

5.Devi

6.Muniyaiah @ Kumar

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment made in the water channel situated in S.No.218/7, 218/8 and 218/9, Kandiyur Village, Aarakkottai Post, Devakottai Taluk, Sivagangai District made by the fifth respondent herein by consider the petitioner's representation dated 31.08.2023.

For Petitioner : Mr.P.Balasubramanian

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1 to R.4

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the respondents 1 to 4. Considering the nature of relief to be granted, issuance of notice to the respondents 5 and 6 is dispensed with. .

2.The learned Special Government Pleader on written instructions from the Tahsildar, Devakottai accepts that the water channel originally runs through the petition mentioned survey numbers. FMB enclosed along with the written instructions indicates the existence of a channel. It is indicated by the official respondents that the channel shall be restored.



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3.We direct the official respondents to restore the channel within a period of five months from the date of receipt of a copy of this order. Notice would be issued to the land owners in question. Opportunity shall also be provided to them. Only thereafter the water channel shall be restored. Of course, due process of law shall be adhere to while restoring the same.

4.This writ petition is disposed of accordingly. There shall be no order as to costs.

[G.R.S., J.] [B.P., J.]
10.01.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MGA

To

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Devakkottai,
Sivagangai District.

3.The Tahsildar,
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Sivagangai District.



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4.The Revenue Inspector,
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