



WP(MD)No.23166 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2025

CORAM

**THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HON'BLE MR.JUSTICE B.PUGALENDHI**

**WP(MD)No.23166 of 2025
and
WMP(MD)No.18234 of 2025**

K.Vijay

... Petitioner

- Vs. -

-

1.The District Collector,
Thanjavur District.

2.The Executive Engineer,
Water Resources Department,
Cavery Section, Thanjavur.

3.The Assistant Engineer,
Water Resources Department,
Cavery Section, Kumbakonam,
Thanjavur District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CERTIORARI to call for the records relating to the impugned notice dated 18.07.2025 issued by the third respondent and quash the same and illegal.



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For Petitioner : Mr.S.Gurumoorthy

For Respondents : Mr.A.Kannan,
Additional Government Pleader

ORDER

Heard both sides.

2.The petitioner challenges the Form 3 notice dated 18.07.2025 issued by the third respondent. It is not in dispute that Survey No. 57/7 has been classified water channel. The petitioner has not enclosed any material in the typed set of papers to show his ownership or title over the said survey number. The Hon'ble Division Bench had issued a continuing mandamus for clearing all the encroachments in Kumbakonam in a PIL filed by one Elephant Rajendran. The impugned notice was issued only pursuant to the said direction. Since the character of Survey No.57/7 is not in dispute, we are not in a position to interfere in the matter. Subject to filing of an affidavit of undertaking before the third respondent, the petitioner is given two months from the date of receipt of copy of this order to vacate the house which is the offending construction.



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3.This writ petition is dismissed. No costs. Connected miscellaneous petition is closed.

**[G.R.S., J.] & [B.P., J.]
28.08.2025**

Internet : Yes / No
Index : Yes / No
Skm

To

- 1.The District Collector,
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and

B.PUGALENDHI, J.

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WP(MD)No.23166 of 2025

and

WMP(MD)No.18200 of 2025

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