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W.P.(MD)NO.10377 OF 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.10377 of 2016 AND

W.M.P.(MD)No.8095 of 2016

Meena

... Petitioner

Vs.

1. The Commissioner,
Madurai Corporation,
Madurai.

2. Kamatchi

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned notice passed by the first respondent vide Ke.Ma.Po. 3/A2/003416/2016 dated 20.05.2016 and quash the same.

For Petitioner : Mr.K.P.Narayanakumar

For R-1 : Mr.K.K.Kannan,
Special Panel Counsel.

For R-2 : Mr.K.Periyasamy

* * *

**ORDER**

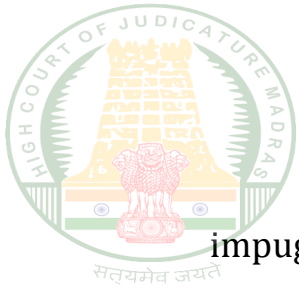
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Heard both sides.

2. The petitioner challenges the impugned eviction notice issued by the Madurai Corporation. The petitioner challenges the said notice on the grounds set out in the affidavit filed in support of the writ petition.

3. We wanted to know whether the petitioner is having any patta for the land covered by the impugned notice. The answer is in the negative. It is obvious that the property categorized as Vaikkal Poramboke has been encroached upon. It is the duty of the authorities to ensure that water bodies are restored. However, the authorities cannot be selective in their approach.

4. We direct the first respondent to delineate the petition-mentioned vaikkal from end to end and ensure that the entire encroachments are removed. The petitioner cannot cite non-removal of encroachment by others as a ground for resisting the



impugned action. There need not be any equality in illegality. We

decline to interfere. This writ petition stands dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
15th April 2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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