



WEB COPY

W.P.(MD) No.23246 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

W.P.(MD) No.23246 of 2025

and

W.M.P.(MD) No.18270 of 2025

Pandiammal

... Petitioner

-VS-

1.The District Collector
Collectorate Office
Sivagangai District

2.The Revenue Divisional Officer
Devakkottai
Sivagangai District

3.The Tahsildar
Devakkottai Taluk
Sivagangai District

4.The Commissioner
Devakkottai Municipality
Devakkottai
Sivagangai District

... Respondents



W.P.(MD) No.23246 of 2025

WEB COPY

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus forbearing the respondents No.2 to 4 or their men or agent from demolishing the petitioner's house in T.S.No.1 Block 20 situated at Devakottai Town and Taluk, Sivagangai District.

For Petitioner : Mr.C.Ezhilarasu

For Respondents : Mr.V.Om Prakash
Government Advocate for R1 to R3
Mr.K.R.Bharathi Kannan
Standing Counsel for R4

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The writ on hand has been instituted to forbear the respondents 2 to 4 or their men or agents from demolishing the petitioner's house in T.S.No. 1, Block No.20, Devakottai Town and Taluk, Sivagangai District.

2. Several litigations were initiated on earlier occasions. Encroachments in water body have been identified by the authorities concerned. Since encroachments are identified in the water body, the authorities have initiated action for removal of encroachments in order to



W.P.(MD) No.23246 of 2025

WEB COPY

protect the water body. This Court also permitted the authorities to evict the encroachers in the water body, however, directed the authorities to consider the case of the landless poor people to provide alternate accommodation to them. Accordingly, the Government identified the land in Survey No.15/1, which is classified as Government Poramboke Natham and granted patta to the landless poor people, who are eligible to avail free house site patta under Revenue Standing Order 21. Even after grant of patta, the encroachers have not vacated the premises. Thus, final notice was issued. Not stopping with that, the petitioner, who is an encroacher, has filed a present writ petition.

3. Learned counsel for the petitioner would submit that the building belongs to the petitioner alone has been demolished and in respect of other encroachers, actions have not been taken.

4. Learned Government Advocate appearing for the respondents 1 to 3 opposed the above submission of the learned counsel for the petitioner by stating that actions are initiated and some of the encroachments have been removed and the remaining are yet to be removed on account of certain obstructions.



W.P.(MD) No.23246 of 2025

WEB COPY

5. In view of the fact that alternate land has already been provided to the encroachers of the water body and free house site pattas also had been granted to them, they have no locus to again claim that they should be permitted to occupy the water body.

6. In view of the above facts and circumstances, the official respondents are directed to remove all the encroachments in the water body immediately and the encroachers, who have been allotted free house site patta, are at liberty to occupy the land allotted to them by the Government at free of costs.

7. The authorities competent shall secure the assistance of the police for the purpose of removing the encroachments in the water body. The police authorities in the event of receiving any such request, may provide adequate protection.



W.P.(MD) No.23246 of 2025

WEB COPY

8. With these directions, this writ petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[G.A.M., J.]

26.08.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

krk

To:

- 1.The District Collector,
Collectorate Office,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Devakkottai,
Sivagangai District.
- 3.The Tahsildar,
Devakkottai Taluk,
Sivagangai District.



WEB COPY



W.P.(MD) No.23246 of 2025

S.M.SUBRAMANIAM, J.
and
G.ARUL MURUGAN, J.

krk

W.P.(MD) No.23246 of 2025
and
W.M.P.(MD) No.18270 of 2025

26.08.2025