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W.P.(MD)NO.24385 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.24385 of 2025

Y.Antony

... Petitioner

Vs.

1. The District Collector,
District Collector Office,
Thoothukudi District.
2. The Revenue Divisional Officer,
Thiruchendur,
Thoothukudi District.
3. The Tahsildar,
Sathankulam,
Thoothukudi District.
4. The Block Development Officer(BP),
Sathankulam Panchayat Union,
Thoothukudi District.
5. S.Balakrishnan
6. S.Kumaragurubaran

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove illegal encroachment made by



respondents 5 and 6 in Geological Stream (Nilaviyal Oodai) in survey No.307/1A1 at Pudhukulam Village in Sathankulam Taluk, Thoothukudi District within a time frame as fixed by this Court.

For Petitioner : Mr.Aayiram K.Selvakumar

For Respondents : Mr.C.Venkatesh Kumar,
Special Government Pleader
for R-1 to R-3.

Ms.D.Farjana Ghoushia,
Special Government Pleader for R-4.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3 and the learned Special Government Pleader appearing for the fourth respondent.

2. Issuance of notice to the respondents 5 and 6 is dispensed with.

3. The petitioner is a resident of Pudhukulam Village. He



alleges that the private respondents herein had diverted the natural flow of a geological stream in the petition-mentioned survey number.

He wants the original position to be restored. In this regard, the petitioner has given representation before the third respondent.

3. The third respondent will issue notice to respondents 5 and 6. After holding summary enquiry, if the third respondent is satisfied that there has been diversion on the stream, the original position shall be restored. In any event, the third respondent has to act as per law and strict compliance of the principles of natural justice. We make it clear that we have not gone into the merits of the matter. The entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order. This writ petition stands disposed of accordingly. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
11th September 2025

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

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G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

PMU

To:

1. The District Collector,
District Collector Office,
Thoothukudi District.
2. The Revenue Divisional Officer,
Thiruchendur,
Thoothukudi District.
3. The Tahsildar,
Sathankulam,
Thoothukudi District.
4. The Block Development Officer(BP),
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