



W.P.(MD)No.28043 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.03.2025

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

W.P(MD)No.28043 of 2024
and
W.M.P.(MD)No.23791 of 2024

KRS.Kathiravan

... Petitioner

Vs.

- 1.The Commissioner of Non-Resident Tamils (NRT)
Welfare Department of Tamil Nadu,
Commissionerate of Rehabilitation and Welfare of Non Resident,
Tamils, Ezhilagam Annex, 4th Floor,
Chepauk,
Chennai-600 005.
- 2.The District Collector,
Monitoring Committee,
Sivagangai District,
Sivagangai.
- 3.The District Revenue Officer,
Sivagangai District,
Sivagangai.
- 4.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.
- 5.The Tahsildar,



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Kalayarkovil Taluk,
Sivagangai District.

6.The Special Tahsildar,
Srilankan Refugees,
Collectorate Campus,
Sivagangai District,
Sivagangai.

7.The President,
Gowripatti Village Panchayat,
Kalayarkovil Taluk,
Sivagangai District.

8.M.Elango

9.Kalyani

... Respondents

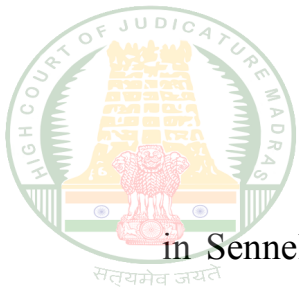
Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the first respondents to remove the encroachments made by the respondents 6,8 & 9 in Survey No.9/2 and 9/3, Sennelkudi Group, Gowripatty Village, Kalaiyarkovil Taluk, Sivagangai District within a time frame fixed by this Court.

For Petitioner :Mr.N.Jeyaram Sidharth

For Respondents :Mr.K.Balasubramani
Special Government Pleader
for R1 to R7

ORDER

Even though the writ prayer has been couched as if it is for removal of encroachment committed by the private respondents in Survey Nos.9/2 & 9/3



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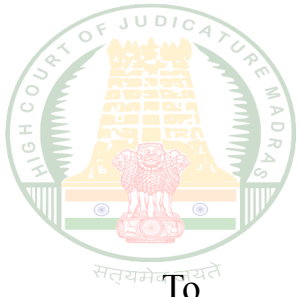
in Sennelkudi, the real object is to forbear the authorities from constructing

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srilankan refugee camp in the said survey numbers. It is not in dispute that a “vari” runs through the said survey numbers. It is also equally true that no construction in the water body can be permitted. But then, the learned Special Government Pleader draws our attention to the board proceedings bearing RP Perm 1039 (1), dated 26.07.1966 which permits the competent authority (District Revenue Officer or the District Collector) to shift the water channel course. In other words, a deviated arrangement can be effected. The learned Special Government Pleader on written instructions submitted that the deviated arrangement has been effected and that the water is flowing through alternate route. If this statement turns out to be incorrect, it is always open to the petitioner herein to move this Court by filing contempt petition.

2. Recording the stand of the official respondents, the writ petition is disposed of. No costs.

[G.R.S., J.] [B.P., J.]
18.03.2025

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