



W.P(MD)No.29180 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 16.10.2025

CORAM

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

W.P(MD)No.29180 of 2025

Shibu

... Petitioner

Vs.

- 1.The District Collector /
Monitoring Committee,
Nagercoil,
Kanyakumari District.
- 2.The Sub Collector,
Padmanabhapuram,
Thuckalay,
Kanyakumari District.
- 3.The Tahsildar,
Killiyoor Tahsildar Taluk,
Killiyoor Taluk,
Kanyakumari District.
- 4.The Assistant Engineer,
TWAD / Public Works Department,
Pattanagal Sub Division,
Kuzhithurai,
Kanyakumari District.



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5.Wilson

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachments made by the fifth respondent in S.No.365/9, which is classified as 'Government Promboke and Water Body' situated at Tharavillai, Killiyoor 'A' Village, Killiyoor Taluk, Kanyakumari District, based on the petitioner's representation dated 05.03.2025 within time stipulated by this Court.

For Petitioner : Mr.B.Micheal Sebastin
For Respondents : Mr.C.Venkatesh Kumar
Special Government Pleader
for R.1 to R.4

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the respondents 1 to 4. Considering the nature of relief to be granted, issuance of notice to the fifth respondent is dispensed with.

2.The petitioner is a resident of Arasakulam Village. He alleges that in the petition mentioned survey number, the fifth respondent has committed encroachment. He wants the same to be removed.



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WEB COPY 3. When the matter was taken up for hearing, the learned Special Government Pleader submitted that already Form – I and Form – II notices have been issued.

4. The fourth respondent is directed to take the process to its logical conclusion. The principle of natural justice will be observed; due process of law will have to be adhered. The fifth respondent has to be given fair opportunity. If the fourth respondent is convinced and satisfied that the water body has been encroached, then it shall be removed. The entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

5. This Writ Petition is allowed accordingly. There shall be no order as to costs.

[G.R.S., J.] [B.P., J.]
16.10.2025

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



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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

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