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W.P.(MD)NO.30610 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.30610 of 2023

M.Abdul Salam

... Petitioner

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue District Officer,
Devakottai,
Sivagangai District.
3. The Tahsildar,
Thiruppathur,
Sivagangai District.
4. M.Sivagnanam
5. C.Padiyan
6. S.Thiyagarajan
7. KR.Shanmugam
8. M.Sivagnanam
9. K.Pandi
- 10.KR.Asaithambi
- 11.M.Shanmugam
- 12.S.Tamilmaran
- 13.M.Seenivasan

... Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India, issuing a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 30.09.2022 and remove all the encroachments in Kuyavan Kanmoi survey No.220/2 and survey No.220/1 Government Poramboke land situated at Thenkarai Village, Thiruppathur Taluk, Sivagangai District against the respondent No.4 to 13 within a stipulated time as fixed by this Court.

For Petitioner : Mr.P.Aju Tagore

For R-1 to R-3 : Mr.N.Ramesh Arumugam,
Government Advocate.

For R-4,R-5,R-7,
R-11&R-12 : Mr.S.Kumar

For R-6,R-8toR-10: No appearance.

* * *

ORDER

Heard both sides.

2. The petitioner is a resident of Thenkarai Village. He alleges that in survey No.220/1 and 220/2 have been encroached by the private respondents. He wants the encroachment to be removed.



Since his representation did not elicit any proper response, the present writ petition came to be filed.

3. When the matter was taken up for hearing, the learned Government Advocate confirms that survey No.220/2 is a water body (kanmoi) and survey No.220/1 is not a water body. Therefore, it is deleted from the scope of this writ petition.

4. The Tahsildar, Thiruppathur is directed to conduct survey in respect of survey No.220/2. Notices will be issued to all the interested persons including the private respondents herein. If the result of the survey indicates that there are encroachments, the same shall be removed by adhering to due process of law. Due opportunity shall be provided to all the encroachers before any coercive action is taken. 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 appeal stands allowed in respect of survey No.220/2 alone. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
24th June 2025

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

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W.P.(MD)NO.30610 OF 2023

G.R.SWAMINATHAN,J.

AND

B.PUGALENDHI, J.

PMU

To:

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue District Officer,
Devakottai,
Sivagangai District.
3. The Tahsildar,
Thiruppathur,
Sivagangai District.

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