



W.P(MD)No.431 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 26.06.2025

CORAM

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

W.P(MD)No.431 of 2024

Sethuraman

... Petitioner

Vs.

- 1.The State represented by
The Principal Secretary,
Department of State Highways,
St.George Fort,
Chennai – 600 009.
- 2.The District Collector,
Sivagangai District,
Sivagangai.
- 3.The Executive Engineer,
Department of State Highways,
Sivagangai District,
Sivagangai.
- 4.The Tahsildar,
Sivagangai Taluk,
Sivagangai.
- 5.The Block Development Officer,
Kalaiyarkovil Block,
Sivagangai District.



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6.Jeyamani

7.Alagarsamy

8.Vetriselvan

9.Arumugam

10.Sethuraman

11.Anandan

12.Rasu

13.Kanalingam

***(R.6 to R.13 were impleaded vide
order of this Court dated 15.02.2024)***

14.S.Krishnan

15.Manickavalli

16.Santhanalakshmi

17.Tirugnyanam

18.S.Rajangam

19.A.Alagu

***(R.14 to R.19 were impleaded vide
order of this Court dated 26.06.2025)***

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to remove all the encroachments by the public made in the Kottamadapuli Kanmai, Karadi Oorani and Vayappu Oorani, which are situated in Kottapatti, Ammanpatti Panchayat, Paganeri Post, Sivagangai Taluk, Sivagangai District, and the encroachments made in Natarasankottai - Chokkanathapuram State Highways, within a stipulated time fixed by this Court on the basis of the petitioner's representations dated 13.11.2023.

For Petitioner : Mr.S.M.Anantha Murugan

For Respondents : Mr.S.Vinoth
Government Advocate
for R.1 to R.5



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Mr.S.M.Anandamurugan
for R.6 to R.13

Mr.K.Jeyamohan
for R.14 to R.19

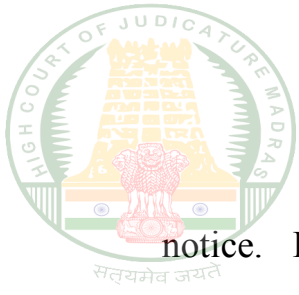
ORDER

Heard both sides.

2.The petitioner is a resident of Kottapatti Village. He alleges that the private respondents herein have committed encroachments upon the petition mentioned water bodies as well as the Natarasankottai - Chokkanathapuram State highways.

3.The stand of the private respondents is that they are all patta holders and they have not committed any encroachments. They contend that the survey was conducted behind their back and that they have been wrongly projected as encroachers. They further stated that they would be satisfied if a fresh survey is conducted in their presence.

4.We find merit in the stand taken by the private respondents. We direct the fourth respondent to conduct a fresh survey after issuing notice to all the interested persons. The State Highways authorities shall also be put on



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notice. If the said survey results indicate that there are encroachments, they shall be removed by adhering to due process of law. The private respondents herein will be given full opportunity to put forth their case. 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 disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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

26.06.2025

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

To

1.The Principal Secretary,
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St.George Fort,
Chennai – 600 009.

2.The District Collector,
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Sivagangai.



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3.The Executive Engineer,
Department of State Highways,
Sivagangai District,
Sivagangai.

4.The Tahsildar,
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Sivagangai.

5.The Block Development Officer,
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and

B.PUGALENDHI, J.

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