



W.P(MD)No.30829 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 30.10.2025

CORAM

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

W.P(MD)No.30829 of 2025

M.Thangavel

... Petitioner

Vs.

1.The Assistant Engineer,
Water Resource Department
Kuthiraiyaru Dam Division,
Kuthirayar Dam, Palani Taluk,
Dindigul District.

2.The Tahsildar,
Taluk Office,
Palani,
Dindigul District.

3.N.Muthammal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to survey the land in S.No.7/1C2 as per the revenue records and remove all the encroachments in S.No.7/1A1 in pursuant to



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the notice dated 06.10.2025 issued by the 1st Respondent in Andipatti Village, Palani Taluk, Dindigul District.

For Petitioner : Mr.N.Mohan

For Respondents : Mr.S.Vinodh,
Government Advocate for R1 & R2.

ORDER

Heard the learned counsel for the writ petitioner and the learned Government Advocate for the respondents 1 and 2.

2.The petitioner has title over S.Nos.7/1C2 and 7/1E3. He does not dispute that a channel runs through S.No.7/1A1. It appears that a well dug by the petitioner has also encompassed S.No.7/1A1. The petitioner also appears to have planned coconut trees in S.No.7/1A1.

3.In these circumstances, the authority are not only having the right but duty to clear all the encroachments in the channel. Of course, before doing so, they would definitely hold a proper survey. The channel has to be restored to its original condition. The well dug by the petitioner



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encompasses the channel area also, then the well has to be necessarily closed and the original position will have to be restored.

4.With the aforesaid observation, this writ petition is disposed of.

No costs.

(G.R.S.J.) & (B.P.J.)
30.10.2025

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

To:-

1.The Assistant Engineer,
Water Resource Department
Kuthiraiyaru Dam Division,
Kuthirayar Dam, Palani Taluk,
Dindigul District.

2.The Tahsildar,
Taluk Office,
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