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W.P.(MD)NO.31841 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.31841 of 2025 AND

W.M.P.(MD)No.25033 of 2025

M.Subramanian

... Petitioner

Vs.

1. The District Collector,
Collectorate,
Sivagangai 630 562.
2. The Superintending Engineer,
Water Resources Department,
Sivagangai 630 562.
3. The Assistant Executive Engineer,
Water Resources Department,
Ilayankudi Taluk,
Sivagangai – 630 702.
4. The Tahsildar,
Ilayankudi Taluk Office,
Ilayankudi,
Sivagangai – 630 702.

5. Paulpandi

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4



herein to forthwith remove all the encroachments made in Aranayur Kanmoi and its bund in survey No.41/1 Aranayur Village, Ilayankudi Taluk, Sivagangai District and consequently direct the respondents 1 to 4 to initiate action for sand theft committed by the fifth respondent and his men based on the representation of the petitioner dated 15.09.2025.

For Petitioner : Mr.V.S.Kumara Guru

For R-1 to R-4 : Mr.R.Raghavendran,
Government Advocate.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for the official respondents.

2. Issuance of notice to the private respondent is dispensed with.

3. The writ petitioner is a resident of Aranaiyur Village. He alleges that the private respondent herein in the guise of constructing a temple is encroaching into the water body that is comprised in the petition-mentioned survey number.



4. It is confirmed by the learned Government Advocate that the temple was already in existence of the bund of the water body. While the renovation work can be allowed, it is the duty of the official respondents to ensure that under no circumstance, there will be any encroachment on the water body. The dimensions of the bund shall also be maintained as such. While the bund can be strengthened, it cannot be widened.

5. With the aforesaid direction to the official respondents, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)

13th November 2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

PMU



G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

PMU

To:

1. The District Collector,
Collectorate, Sivagangai 630 562.
2. The Superintending Engineer,
Water Resources Department, Sivagangai 630 562.
3. The Assistant Executive Engineer,
Water Resources Department,
Ilayankudi Taluk, Sivagangai – 630 702.
4. The Tahsildar,
Ilayankudi Taluk Office, Ilayankudi, Sivagangai – 630 702.

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