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W.P.(MD)NO.32106 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.32106 of 2025

R.Mayilsamy

... Petitioner

Vs.

1. The Commissioner of Land Administration,
Land Administration Department,
Ezhilagam, 2nd Floor,
Chepauk, Chennai – 600 005.
2. The District Collector,
Sivagangai District, Sivagangai.
3. The District Revenue Officer,
Sivagangai District,
Sivagangai.
4. The Revenue Divisional Officer,
Sivagangai Division,
Sivagangai.
5. The Tahsildar,
Sivagangai Taluk,
Sivagangai.
6. Ponnaiyah Ramajayam Institute of Science and Technology
(PRIST) College,
Arasanoor Village,
Sivagangai District.

... 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 5 to cancel the patta wrongly issued in நீர்ப்பிடி பகுதி (Water Body) in favour of the sixth respondent namely Ponnaiah Ramajayam Institute of Science and Technology(PRIST) College, Arasanoor Village, Sivagangai District in patta No.1957(Six survey numbers) in survey No.188/11A, 188/12, 188/13, 188/14, 188/15 and 188/16 Arasanoor Village Sivagangai Taluk, Sivagangai District by considering the petitioner's representation dated 21.06.2025.

For Petitioner : Mr.R.Mayilsamy,
Party-in-person.

For R-1 to R-5 : Mr.C.Venkatesh Kumar,
Special Government Pleader.

* * *

ORDER

The writ petitioner had earlier filed W.P.(MD)No.10886 of 2025 seeking removal of the unauthorised construction put up by the seventh respondent therein. The writ petition was disposed of by us in the following terms:-

“4. The Assistant Director of Town and Country Planning had taken action against the seventh respondent. The District Collector,



Sivagangai had also initiated action against the seventh respondent herein. The seventh respondent had committed illegality in two fold manner.

(I) Putting up construction in a water catchment area.

(II) No approval was obtained even for putting up such construction.

5. Since it has been established that an unauthorised construction has been put up by the seventh respondent in a water catchment area, we direct the respondents 4 to 6 to take action for removing the unauthorised construction. When we were about to issue formal direction, the learned senior counsel on instructions from the 7th respondent submits that since a college is being run presently, the 7th respondent may be given sufficient time to remove the encroachment on their own. The seventh respondent is also ready to file an affidavit to that effect. Recording the undertaking of the seventh respondent to remove the offending construction on their own, we grant exactly 11 months time from today to remove the encroachment on their own. In other words, the offending construction should have been taken down on or before 31.05.2026. If the



seventh respondent fails to file an affidavit within a period of two weeks from the date of receipt of a copy of this order, the seventh respondent will not be entitled to the benefit of this order. If the seventh respondent fails to abide by the undertaking now given, it shall be construed as an act of contempt. In that event, the respondents 4 to 6 shall forthwith remove the offending construction.”

2. The petitioner who appeared in person stated that the patta issued in favour of the sixth respondent should also be cancelled. We are unable to accede to this request. In “A” Register, the land in question is shown as belonging to a private individual. In the remarks column, it has been mentioned as water spread area. In the water spread area, no construction can be put up. That is why, we had given the direction earlier for removing the same. No further direction has to be issued. This writ petition stands dismissed. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
13th November 2025

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

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