



W.P(MD)No.32215 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 20.11.2025

CORAM

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

**W.P(MD)No.32215 of 2025
and
W.M.P(MD)Nos.25344 & 25346 of 2025**

K.Mariappan

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collectorate,
Virudhunagar,
Virudhunagar District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Satchiyapuram,
Sivakasi, Virudhunagar District.
- 3.The Revenue Tahsildar,
Office of the Revenue Divisional Officer,
Satchiyapuram,
Sivakasi, Virudhunagar District.
- 4.The Executive Engineer,
Water Resource Department,
Public Works Department,
Vaippar Basin Division,
Virudhunagar.



W.P(MD)No.32215 of 2025

5.The Assistant Engineer,
Water Resource Department,
Public Works Department,
Vaippar Basin Division,
Satchiyapuram, Sivakasi,
Virudhunagar.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to quash the Form-III Notice dated 08.10.2025 issued by the fifth respondent as illegal.

For Petitioner : Mr.S.I.Muthiah

For Respondents : Mr.S.Vinodh
Government Advocate

ORDER

Heard both sides.

2.The petitioner challenges the impugned Form – 3 notice issued by the fifth respondent for removing the encroachment in question. According to the respondents, the petitioner has committed encroachment on the left main canal running from the Vembakottai dam to Irukankudi.

3.According to Thiru.Kannan, Assistant Engineer, the length of the branch canal is 4 kms. Fresh survey shall be conducted for the entire stretch. Notice shall be given to all the interested persons including the alleged



W.P(MD)No.32215 of 2025

encroachers. Survey shall be held in their presence. The officials admit that the petitioner is not a only encroacher. According to them, there are many other encroachers.

4.We make it clear that all the encroachments, if any, shall be removed at one go. The petitioner cannot be selectively targeted. Since no material has been placed before us to show that survey notice was given to the petitioner, we quash the impugned Form – 3 notice. We, however, direct the respondents to ensure that all the encroachments in the petition mentioned branch canal are removed within a period of six months from the date of receipt of a copy of this order.

5.This Writ Petition is allowed on these terms. No costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [B.P., J.]
20.11.2025

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



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W.P(MD)No.32215 of 2025

G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

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