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W.P.(MD)NO.33350 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.33350 of 2025

S.V.Udayakumar

... Petitioner

Vs.

1. State of Tamil Nadu,
Rep. by its
District Collector of Kanyakumari District,
District Collectorate,
Nagercoil.
2. The Commissioner,
Nagercoil Municipal Corporation,
Nagercoil, Kanyakumari District.
3. The Executive Engineer,
PWD-Water Resource Department,
Kothaiyar Basin Division,
Veppammoodu Junction,
Nagercoil, Kanyakumari District.
4. The Tahsildar,
Agastheeswaram Taluk,
Kanyakumari District.
5. Dr.Shyam Mukerjee Memorial Trust,
Regn No.98/1994,
Rep. by its Trustee R.Iyyappan,
S/o.Ramachandran,
Parvathipuram Junction,



Vettoornimadam Post,
Parvathipuram.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 to 4 to initiate appropriate and suitable action so as to remove all encroachments on both sides of the 'Ananthar Channel' at Parvathipuram Junction, inclusive of the encroachments made by the fifth respondent adjacent to "Arulmigu Karpaga Vinayagar temple", situate at Parvathipuram Junction, Nagercoil, Kanyakumari District by considering the representation of the petitioner dated 27.06.2025 within a time frame as fixed by this Court and further direct the first respondent to ensure free flow of traffic on both sides of 'Ananthar channel' without any hindrance to public, within a time frame as may be fixed by this Court.

For Petitioner : Mr.G.Aravinthan,
for M/s.Aran Legal Consultancy.

For Respondents : Mr.R.Ragavendran,
Government Advocate for R-1,R-3&R-4.

Mr.F.Deepak for R-2.

* * *

ORDER

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



respondents and the learned counsel appearing for the second respondent.

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

3. The petitioner is a resident of Nagercoil. According to him, the water channel known as Ananthar channel has been encroached upon. He wants the same to be removed.

4. The officials of PWD have stated that the Tahsildar, Agastheeswaram Taluk will conduct survey and identify the encroachments. The fourth respondent is directed to issue notice to all the interested persons including the alleged encroachers and conduct survey thereafter. If the survey results indicate that there are encroachments in Ananthar channel, the same will have to be removed by adhering to due process of law. It is reiterated that notices will be issued to all the interested persons including the alleged encroachers. They shall be provided an opportunity of hearing. Even after conducting survey, if the authorities comes to the conclusion that the encroachments are confirmed, the same will be



removed. The entire exercise will be completed within a period of six months from the date of receipt of a copy of this order. This writ petition stands disposed of accordingly. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
20th November 2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

1. The District Collector of Kanyakumari District,
District Collectorate,
Nagercoil.
2. The Executive Engineer,
PWD-Water Resource Department,
Kothaiyar Basin Division,
Veppammoodu Junction,
Nagercoil, Kanyakumari District.
3. The Tahsildar,
Agastheeswaram Taluk,
Kanyakumari District.



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