



W.P(MD)No.34404 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 27.11.2025

CORAM

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

W.P(MD)No.34404 of 2025

Jeevanantham

... Petitioner

Vs.

1.The District Collector/ Monitoring Committee,
Virudhunagar, Virudhunagar District.

2.The Thasildar,
Watrayiruppu Taluk,
Virudhunagar,
Virudhunagar District.

3.The Assistant Executive Engineer,
Neer Pidippu Cum Upa Vadikal (PWD),
Virudhunagar, Virudhunagar District.

4.V.Velusamy

... 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 No.1 to 3 to remove the encroachment made by the 4th respondent in Vaari at Survey No.1218/6, 1211/5, 1211/3, 1228/1A at

1/6



W.P(MD)No.34404 of 2025

W.Puthupatti Village, Watrap Taluk, Virudhunagar District by way of
considering petitioner's representation on 11.11.2025.

For Petitioner : Mr.R.Jegadeeswaran

For Respondents : Mr.M.Gangadharan,
Government Advocate for R1 to R3.

ORDER

Heard the learned counsel for the writ petitioner and the learned Government Advocate for the respondents 1 to 3. Issuance of notice to the fourth respondent is dispensed with.

2.The writ petitioner is a resident of Pudur Village. He alleges that in the petition mentioned survey numbers, there are encroachments.

3.The official respondents concede that S.No.1218/6 has been classified as a water body and that the fourth respondent herein who is said to be working in the police department had committed encroachment. If that be so, a fresh notice shall be issued to the fourth respondent.



W.P(MD)No.34404 of 2025

WEB COPY

4.The second respondent is directed to take action under the Land Encroachment Act, 1905 and have the said encroachment to be removed. Since the writ petition is disposed of at the admission stage, we make it clear that the defences of the fourth respondent are not foreclosed. Notice will be issued to the fourth respondent and he will be given full opportunity to present his case. His objections shall be taken into account before any final order is passed. If at the end of the enquiry, second respondent comes to the conclusion that the fourth respondent has committed encroachment, the encroachment shall be removed.

5.The official respondents contend that the other three survey numbers are patta lands. But the written instructions given to the learned Government Advocate is not clear on this point. We, therefore, direct the second respondent to verify the revenue records with reference to the said survey numbers. If as per the revenue records, the said survey numbers are patta lands, no further action needs to be taken. If they happen to be water body, then the second respondent will have to follow the statutory procedure as mentioned above and have the encroachments



W.P(MD)No.34404 of 2025

removed, if there are any. The entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

6.This writ petition is disposed of accordingly. No costs.

(G.R.S.J.) & (B.P.J.)
27.11.2025

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

To:-

- 1.The District Collector/ Monitoring Committee,
Virudhunagar, Virudhunagar District.
- 2.The Thasildar,
Watrayiruppu Taluk,
Virudhunagar,
Virudhunagar District.
- 3.The Assistant Executive Engineer,
Neer Pidippu Cum Upa Vadikal (PWD),
Virudhunagar, Virudhunagar District.



WEB COPY



W.P(MD)No.34404 of 2025



WEB COPY



W.P(MD)No.34404 of 2025

**G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.**

ias

W.P(MD)No.34404 of 2025

27.11.2025