



W.P.(MD)No.34751 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2025

CORAM:

THE HON'BLE MS.JUSTICE P.T.ASHA

W.P.(MD).No.34751 of 2025

and

W.M.P(MD)No.27455 of 2025

Rajeswari N

Represented by her husband and Power of Attorney

TP. Ganesan

... Petitioner

Vs.

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Tahsildar,
Cheranmahadevi Taluk,
Tirunelveli District.
3. The Block Development Officer,
Cheranmahadevi Block,
Tirunelveli District.
4. The President,
Moolachi Panchayat,
Cheranmahadevi Block,
Tirunelveli District.

... 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 not to convert the petitioners patta land as a water channel for overflowing



W.P.(MD)No.34751 of 2025

the stagnated water in Survey Nos.174/1, 174/6, 174/2A and 174/3B of Kallidaikurichi, Ambasamudram Taluk, Tirunelveli District, on the basis of the petitioners representation dated 17.11.2025 in petition Receipt No. 9805 with the 1st respondents Endorsement No.16823755 dated 17.11.2025 within the time frame as may be fixed by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.V.Balaji
For R1 and R2 : Mr.S.Jeya Priya
Government Advocate
For R3 : Mr.B.Ramanathan
Additional Government Pleader

ORDER

The above writ petition has been filed for the following relief:-

“Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents not to convert the petitioners patta land as a water channel for overflowing the stagnated water in Survey Nos.174/1, 174/6, 174/2A and 174/3B of Kallidaikurichi, Ambasamudram Taluk, Tirunelveli District, on the basis of the petitioners representation dated 17.11.2025 in petition Receipt No.9805 with the 1st respondents Endorsement No.16823755 dated 17.11.2025 within the time frame as may be fixed by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice .”



W.P.(MD)No.34751 of 2025

2. Mrs.S.Jeya Priya, learned Government Advocate takes notice on behalf of the respondents 1 and 2. Mr.B.Ramanathan, learned Additional Government Pleader takes notice on behalf of the 3rd respondent.

3. By consent of both the parties, the writ petition is taken up for final disposal at the admission stage itself. Since no adverse orders are to be passed against the 4th respondent, notice to the 4th respondent is dispense with.

4. The brief facts as set out in the affidavit filed in support of the writ petition reads as follows:-

The petitioner is running a fuel station in the name and style of Sri Bhagavan Fuel Station in the land comprised in S.Nos.174/1, 174/6, 174/2A and 174/3B situated at Kallidaikurichi, Ambasamudram Taluk, Tirunelveli District for the past 15 years. The said land was purchased by the petitioner under a registered Sale Deed dated 06.05.1991 in Doc.Nos. 453 of 1991 and 454 of 1991.



W.P.(MD)No.34751 of 2025

WEB COPY

5. At this juncture, the 4th respondent Panchayat had attempted to put up a 'temporary odai' in the petitioner's patta land to clear the excess rain water. But, the same was objected by the petitioner and after verification of the title deed, the 4th respondent Panchayat undertook to close down the 'temporary odai'. However, no action has been taken to date.

6. Thereafter, the 4th respondent Panchayat had tried to convert the 'temporary odai' into permanent water drainage channel in the petitioner's patta land. Hence, the petitioner has filed a suit in O.S.No.26 of 2025, on the file of the Additional District Munsif Court, Ambasamudram against the respondents 1 and 2 and the same is pending. While so, the 4th respondent Panchayat had attempted to construct a permanent water drainage channel during the pendency of the suit in O.S.No.26 of 2025.

7. Aggrieved by the same, the petitioner has made a representation before the respondents on 17.11.2025, however, the same has not been considered to date and hence, the petitioner has filed the present writ petition.



W.P.(MD)No.34751 of 2025

WEB COPY

8. The learned Government Advocate and the learned Additional Government Pleader appearing for the respondents would submit that the representation submitted by the petitioner dated 17.11.2025 will be considered and orders will be passed, within the time stipulated by this Court.

9. In view of the above, without expressing any opinion on the merits of the matter, the respondents are directed to consider the representation of the petitioner dated 17.11.2025 and pass appropriate orders on merits and in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order.

10. The writ petition stands disposed of with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

28.11.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



W.P.(MD)No.34751 of 2025

WEB COPY

To

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Tahsildar,
Cheranmahadevi Taluk,
Tirunelveli District.
3. The Block Development Officer,
Cheranmahadevi Block,
Tirunelveli District.
4. The President,
Moolachi Panchayat,
Cheranmahadevi Block,
Tirunelveli District.



WEB COPY



W.P.(MD)No.34751 of 2025

P.T.ASHA, J.

rgm

W.P.(MD).No.34751 of 2025
and
W.M.P(MD)No.27455 of 2025

28.11.2025