



WEB COPY



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W.P.(MD)NO.35214 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.35214 of 2025

S.Venkatesh

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Kanyakumari.
2. The Revenue Divisional Officer,
Nagercoil,
Kanyakumari District.
3. The Tahsildar,
Thovalai Taluk,
Kanyakumari District.
4. The District Forest Officer,
Kanyakumari District.
5. The Superintendent Engineer,
Public Works Department(PWD),
Tirunelveli District.
6. The Assistant Director,
Town and Country Planning Authority,
Nagercoil,
Kanyakumari District.



7. The District Registrar,
Nagercoil,
Kanyakumari District.

8. The Executive Officer,
Aaralvaimozhi Town Panchayat,
Nagercoil,
Kanyakumari District.

9. Xaviour Selvaraja

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, issuing a Writ of Mandamus, directing the respondent Nos.1 to 8 to safeguard the Avalodai and Patturaja water streams located in survey No.97/4, 269 & 270 in Aaralvaimozhi, Thovalai Taluk, Kanyakumari District and to ensure that the 9th respondent is not encroached the above water streams for creating pathway to his newly formed house site layout by considering the petitioner's representation dated 06.11.2025 and 29.11.2025.

For Petitioner : Mr.S.Vishnuvardhan

For R-1 to R-8 : Mr.M.Siddharthan,
Additional Government Pleader.

For R-9 : Mr.R.M.Arun Swaminathan

* * *

**ORDER**

Heard both sides.

2. The writ petitioner who is a resident of Vadakkoor Village in Aralvaimozhi Taluk complained that the petition-mentioned survey numbers have been encroached upon.

3. The learned counsel for the ninth respondent states that the ninth respondent will not in any way commit in any kind of encroachment on the stream running through survey No.97/4. This undertaking given by the ninth respondent is placed on record. The learned counsel for the ninth respondent further states that he has nothing to do with the remaining two survey numbers.

4. The learned Additional Government Pleader confirms that survey Nos.269 and 270 are also water bodies.

5. The third respondent is directed to issue notice to the private



respondents and other encroachers if any, conduct survey and if the encroachments are noticed, then by adhering to due process of law, the encroachments shall be removed. The entire exercise will be completed within a period of four 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.)
11th December 2025

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

PMU



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