



W.P.(MD)No.35800 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.12.2025

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

W.P(MD)No.35800 of 2025
and
W.M.P.(MD)No.28425 of 2025

1.Mangachi

2.Sumathi

... Petitioners

Vs.

1.The Assistant Engineer,
Water Resources Department,
Gundar Water Basin Division-II,
Mudhukulathur,
Ramanathapuram District.

2.The Tahsildar,
Mudhukulathur Taluk,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order in Na.Ka.No.A5/6978/2024, dated 30.07.2025 passed by the second respondent and quash the same insofar as the petitioners are concerned.



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For Petitioners :Mr.T.Antony Arulraj

For Respondents :Mr.M.Siddharthan
Additional Government Pleader

ORDER

Heard both sides.

2. The petitioner challenges the impugned order passed under Section 6 of the Land Encroachment Act. The order is dated 30.07.2025. The petitioner's counsel states that it was served only on 04.12.2025.

3. We do not want to go into that controversy. The order impugned in the writ petition is appealable. The petitioners' counsel states that within six weeks from the date of receipt of a copy of this order, he will move the appellate authority under Section 10 of the Act. If such an appeal is filed, it shall be entertained without reference to limitation and disposed of on merits and in accordance with law within a period of three months. Till the disposal of the appeal, the order impugned in the writ petition shall be put on hold. In other words, the right of the petitioners will abide by the outcome of the appeal. We make it clear that if the writ petitioners fail to file such an appeal within the



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time limit mentioned above, the benefits of this order will not be available and the writ petition will be deemed to have been dismissed at the admission stage itself. We make it clear that we have not gone into the merits of the matter. All the petitioners' contentions are left open.

4. The writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
11.12.2025

NCC : Yes / No

Internet : Yes / No

Index : Yes / No

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NOTE: Issue Order Copy on 12.05.2025

To

1. The Assistant Engineer,
Water Resources Department,
Gundar Water Basin Division-II,
Mudhukulathur,
Ramanathapuram District.

2. The Tahsildar,
Mudhukulathur Taluk,
Ramanathapuram District.



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