



WEB COPY

W.P.No.13395 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2026

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.13395 of 2021

K.Ponnusamy

... Petitioner

-VS-

1. The District Collector,
Collectorate,
Namakkal.
2. The Revenue Divisional Officer,
Namakkal.
3. The Tahsildar,
Senthamangalam Taluk,
Namakkal District.
4. Mr.S.Balasubramanian
5. Mr.S.Palanisamy

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 and 2 herein to take appropriate action on the representation dated 17.04.2021 made to them by the petitioner herein to retrieve the pond, stream and the pathway abutting the said stream from the encroachment made by the respondents 4 and 5 into a portion on the south-eastern side of the pond in an extent of about four acres and also to cancel the pattas illegally issued in their names by the 3rd respondent in respect of S.No.46/1FE covered by Patta No.916, S.Nos.46/1Fs and 461H covered by Patta No.926, S.Nos.46/1F1 and 46/1F4 covered by Patta No.927, situate in Ponneri Village,



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Senthamangalam Taluk, Namakkal District, so that they may be continued to be used by the General Public of the Ponneri Village.

For Petitioner : Mr.S.Senthil

For R1 to R3 : Mr.T.Arun Kumar
Addl. Govt. Pleader

For R4 & R5 : Mr.T.L.Thirumalaisamy

ORDER

(By.S.M.SUBRAMANIAM,J.,)

Writ of Mandamus has been instituted to direct the respondents 1 and 2 herein to take appropriate action on the representation dated 17.04.2021 made to them by the petitioner herein to retrieve the pond, stream and the pathway abutting the said stream from the encroachment made by the respondents 4 and 5 into a portion on the south-eastern side of the pond in an extent of about four acres and also to cancel the pattas illegally issued in their names by the 3rd respondent in respect of S.No.46/1FE covered by Patta No.916, S.Nos.46/1Fs and 461H covered by Patta No.926, S.Nos.46/1F1 and 46/1F4 covered by Patta No.927, situate in Ponneri Village, Senthamangalam Taluk, Namakkal District, so that they may be continued to be used by the General Public of the Ponneri Village.



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2. Counter affidavit filed by the 3rd respondent would show that encroachments identified in water body have been removed and the respondents 4 and 5 had already removed the temporary structure and gave an undertaking to the 3rd respondent that to the extent that they will not erect any structure in S.No.46/2. Since the encroachment in the public pathway and water body has been removed, no further adjudication is required.

3. At this juncture, learned counsel for the petitioner would submit that there is a private Tank and patta was granted in violation of the Revenue Standing Orders by the authorities. If so, the petitioner is at liberty to file appropriate petition before the competent authority, seeking cancellation of patta. In the event of filing any such petition, it has to be decided on merits, by affording opportunity to all parties concerned.

With the above observations and directions, the present Writ Petition is disposed of. No costs.

(S.M.S,J.) (C.K,J.)
08.01.2026

Index: Yes / No
Internet: Yes / No
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S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.
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To:

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Collectorate,
Namakkal.
2. The Revenue Divisional Officer,
Namakkal.
3. The Tahsildar,
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