



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 18341 of 2025

and

WMP No. 20546 of 2025

D.Gajalakshmi

..Petitioner

Vs

1. The District Collector,
Kallakurichi District,
Kallakurichi.
2. The Revenue Divisional Officer, Kallakurichi /
The Chairperson/ Convener,
Divisional Monitoring Committee (Enforcement)
Kallakurichi,
Kallakurichi District.
3. The Tahsildar,
Kallakurichi Taluk,
Kallakurichi District.
4. The Assistant Engineer,
Water Resource Department
(Irrigation Division), P.W.D.,
Kallakurichi,
Kallakurichi District.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents from disturbing the petitioner's peaceful possession in Survey No.296/1A1A1 and 296/1B Kallakurichi except in accordance with law by considering the petitioner's representation dated 06.05.2025.



For Petitioner :

Mr.M.Balasaileshwar
for Mr. R.M. Makesh Kumaravel

For Respondents :

Mr.T.Arunkumar,
Addl. Govt. Pleader**Order****(Order of the Court was made by S.M.Subramaniam J.)**

The Writ of Mandamus has been instituted forbearing the respondents from disturbing the petitioner's peaceful possession in Survey No.296/1A1A1 and 296/1B, Kallakurichi except in accordance with law by considering the petitioner's representation dated 06.05.2025.

2. The learned Additional Government Pleader based on written instructions given by the Assistant Engineer, Water Resources Department, Irrigation Section, Kallakurichi would submit that during the course of inspection and survey, the Authorities identified encroachments in the water body. Thus enforcement actions are to be initiated in view of the Full Bench judgment of this Court in **T.K.Shanmugam Vs. The State of Tamil Nadu** Case.

3. That apart, the relief as such sought for in the nature of injunction is not entertainable. The petitioner, if claims title, has to approach the competent civil Court of law. However, the Authorities since identified encroachments in the water body, they are bound to remove the same as expeditiously as possible by following the procedures as contemplated.



4. With the above directions, this Writ Petition stands **disposed of**. No costs. Consequently, the connected miscellaneous petition is closed.

(S.M.S.,J.) (K.S.,J.)
01-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

DSA

To

1. The District Collector,
Kallakurichi District,
Kallakurichi.
2. The Revenue Divisional Officer, Kallakurichi /
The Chairperson/ Convener,
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Kallakurichi,
Kallakurichi District.
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**S.M.SUBRAMANIAM J.
AND
K.SURENDER J.**

DSA

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