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W.P.(MD)NO.4121 OF 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.4121 of 2026

Ganesan

... Petitioner

Vs.

1. The District Collector,
Theni District.
2. The Assistant Engineer,
Public Works Department,
Irrigation Department,
Theni.
3. The Tahsildar,
Uthamapalayam,
Theni District.
4. Murugan

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, issuing a Writ of Mandamus, directing the official respondents 1 to 3 to remove the encroachments made by the fourth respondent at Thimminayakkan Kanmai in survey No.401 & 402, Pottipuram Village, Uthamapalayam Taluk, Theni District by acting upon the proceedings of the second respondent in Ka.No.Koo.



52/USEPoo(The)/2024 dated 01.04.2025 within the period that may be stipulated by this Court and pass appropriate orders on merits and in accordance with law within the period that may be stipulated by this Court.

For Petitioner : Mr.M.Jerin Mathew

For Respondents : Mr.C.Venkatesh Kumar,
Special Government Pleader for R-1 to R-3.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for respondents 1 to 3.

2. The petitioner is the resident of B.Malingapuram Village. He alleges that there are encroachments in the petition-mentioned survey number.

3. The learned Special Government Pleader clarified that survey No.402 has been classified as cart track and there are no encroachments therein.



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4. Admittedly, survey No.401 is a water body. It appears that there are encroachments. The learned Special Government Pleader on instructions states that on 24.02.2026, the encroachments are proposed to be removed. Recording the stand of the official respondents, this writ petition stands disposed of. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
19.02.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU

To:

1. The District Collector,
Theni District.
2. The Assistant Engineer,
Public Works Department,
Irrigation Department,
Theni.
3. The Tahsildar,
Uthamapalayam,
Theni District.



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