



W.P(MD)No.5367 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 26.02.2026

CORAM

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

W.P(MD)No.5367 of 2026

1.A.Marimuthu

2.S.M.Marimuthu

... Petitioners

Vs.

1.The District Collector /
Monitoring Committee,
Thoothukudi District.

2.The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.

3.The Tahsildar,
Ettayapuram Taluk,
Thoothukudi District.

4.The Executive Officer /
Administrative Officer,
Selection Grade Town Panchayat,
Ettayapuram Taluk,
Thoothukudi District.



W.P(MD)No.5367 of 2026

5.The Block Development Officer,
Ettayapuram Panchayat Union,
Kovilpatti Taluk,
Thoothukudi District.

6.Krishnan

7.Muthumaari

8.Manthiram

9.Kaaliyamaal

10.Maheshwari

11.Rajamani

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 directing the respondents 1 to 5 to remove the encroachments made by the respondents 6 to 11 in Thattankulam Tank situate in S.No.185 in Ettayapuram Village, Ettayapuram Taluk, Thoothukudi District based on the petitioner's representation dated 22.03.2022, and the consequential communication of the District Collector dated 01.10.2024, within a time frame fixed by this Court.

For Petitioners : Mr.M.Gnana Guru Nathan

For Respondents : Mr.C.Venkatesh Kumar
Special Government Pleader
for R.1 to R.3 & R.5

Mr.G.V.Vairam Santhosh
Additional Government Pleader
for R.4



W.P(MD)No.5367 of 2026

ORDER

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Heard the learned counsel appearing for the writ petitioner, the learned Special Government Pleader appearing for the respondents 1, 2, 3 and 5 and the learned Additional Government Pleader appearing for the fourth respondent. Considering the nature of relief to be granted, issuance of notice to the respondents 6 to 11 is dispensed with.

2.The petitioners are residents of Ettayapuram. They allege that there are encroachments in Survey No.185 which are liable to be removed.

3.When the matter was taken up for hearing, the learned Special Government Pleader confirmed that Survey No.185/1 has been classified as “Orani” and that the preliminary enquiry conducted by the authorities revealed the existence of as many as 7 encroachments. Form – I notices have already been issued. Since the learned Special Government Pleader is not sure whether the notices have been duly already served on the encroachers, we direct the third respondent to issue fresh notices to the encroachers and conduct survey. Based on the result of the survey, further action shall be taken as per the provisions of the statute. If encroachments are confirmed, they shall be



W.P(MD)No.5367 of 2026

removed by adhering to due process of law. All the encroachers shall be given a fair opportunity of hearing. The entire exercise shall be completed within a period of four (4) months from the date of receipt of a copy of this order.

4.This Writ Petition is disposed of accordingly. No costs.

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

26.02.2026

2/2

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

To

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4/6



W.P(MD)No.5367 of 2026

5. The Block Development Officer,
Ettayapuram Panchayat Union,
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W.P(MD)No.5367 of 2026

G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

MGA

W.P(MD)No.5367 of 2026

26.02.2026

2/2