



W.P(MD)No.5711 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 05.03.2026

CORAM

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

W.P(MD)No.5711 of 2026

G.Murugaiya

... Petitioner

Vs.

1.The District Collector/Monitoring Committee,
District Collectorate, Tenkasi District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Tenkasi District.

3.The Tahsildar,
Sivakiri Taluk Office,
Tenkasi District.

4.The Assistant Engineer,
Water resources and Public Works Department,
Vasudevanallur Sub Division,
Tenkasi District.

5.Perumal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the



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Respondents 1 to 4 herein to remove the encroachment and to restore the stream line (odai) in S.No.734 at Vasudevanallur Village, Sivakiri Taluk, Tenkasi District which is encroached and destroyed by the 5th respondent illegally for his cultivation of crops. By which water free flow has been restrained from going to the tank in the rainy seasons and consequently direct the official respondents to consider the representation of the petitioner dated 29.11.2025 sent through registered post with acknowledgement due within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.K.Abiya

For Respondents : Mr.G.V.Vairam Santhosh,
Addl. Government Pleader for R1 to R4.

ORDER

The writ petitioner is resident of Puliyanankudi. He alleges that in S.No.734, Vasudevanallur Village, there are encroachments. Seeking removal of the same, this writ petition has been filed.

2.The learned Additional Government Pleader concedes that that S.No.734 has been classified as “Odai”. It is stated that the fourth respondent has sent requisition to the third respondent to conduct survey.



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We direct the third respondent to issue notice to the fifth respondent and other interested persons and thereafter conduct survey. If the result of the survey indicates that water body has been encroached or obliterated, it is duty of the fourth respondent to take recourse to the relevant provisions of the statute and ensure its original position. We make it clear that we have not rendered any adverse finding against the fifth respondent. The fifth respondent shall be put on notice and given fair opportunity of hearing and due process of law shall be adhered to. The entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

3.This writ petition is disposed of accordingly. No costs.

(G.R.S.J.) & (B.P.J.)
05.03.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias



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**G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.**

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