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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.03.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**

AND

THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.7533 of 2026

and

W.M.P.(MD)No.6165 of 2026

K.P.Ambalavanan @ Sudhan

... Petitioner

Vs.

- 1.The District Collector,  
Kanyakumari District,  
Collectorate, Nagercoil.
- 2.The Executive Engineer,  
Kothaiyaru Irrigation Division,  
Water Resources Department,  
Nagercoil, Kanyakumari District.
- 3.The Junior Engineer,  
Kothaiyaru Irrigation Division,  
Mailadi, Kanyakumari District.
- 4.The Executive Officer,  
Kottaram Town Panchayat,  
Kanyakumari District.

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encroachments, if any in or around the pond situated in Survey No.



425/1, Kottaram Village, to clean and restore the pond known as Agathiyar Pudukkulam/Lakshmi Pudukkulam, remove lotus vegetation and bushes obstructing the pond and pathway, prevent dumping of garbage on the pond banks and access road and provide proper access road and maintenance to the pond by considering the petitioner's representation dated 04.03.2026 within a time frame to be fixed by this Court.

For Petitioner : Mr.S.Suthakaran  
For Respondents : Mr.D.Sasikumar (R1 to R3)  
Additional Government Pleader  
Mr.P.Thilakkumar (R4)  
Government Pleader

### **ORDER**

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

This writ petition is filed seeking a direction to the respondents to remove the encroachments in or around the pond, namely, Agathiyar Pudukkulam/Lakshmi Pudukkulam situated in Survey No.425/1, Kottaram Village and provide proper access road and maintenance to the pond by considering the petitioner's representation dated 04.03.2026 within a time frame to be fixed by this Court.

2.Mr.D.Sasikumar, learned Additional Government Pleader accepts notice for the respondents 1 to 3 and Mr.P.Thilakkumar, learned Government Pleader, accepts notice for the fourth respondent.



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3.By consent, this writ petition is taken up for final disposal at the stage of admission itself.

4.The contention of the petitioner is that Agathiya Pudukkulam/Lakshmi Pudukkulam is a major public water source for the villagers of the petitioner. The said pond is under the control and maintenance of the Water Resources Department, Kothaiyaru Irrigation Division. However, now the said pond is fully covered with lotus plants and vegetation. Further, the public well situated near the pond is also covered with bushes and vegetation. Garbage and waste materials are also being dumped on the road leading to the pond and its surroundings preventing public access. The representation submitted by the petitioner on 04.03.2026 to the first respondent to clean the said pond, has not been considered. Hence, the petitioner has filed this writ petition.

5.The learned Additional Government Pleader appearing for the first to third respondents, on instructions, submitted that the first limb of the prayer to remove the garbage has been considered and the entire garbage has been removed. Further, a warning board has been erected not to throw any garbage inside or near the pond. As far as the second



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limb of the prayer to remove the lotus and vegetation is concerned, the second and third respondents, who are the authorities competent to consider the same, will consider the same and necessary steps will be taken to remove the lotus and vegetation from the pond.

6. In view of the above submission, we direct the second and third respondents to consider the representation of the petitioner and remove the lotus and vegetation from the pond within a period of four months from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

**[N.S.K., J.] & [M.J.R., J.]**  
**18.03.2026**

Index : Yes/No  
Internet : Yes  
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**N.SATHISH KUMAR, J.  
AND  
M.JOTHIRAMAN, J.**

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