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W.P.(MD)NO.9435 OF 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.04.2026

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.9435 of 2026

Sengol

... Petitioner

Vs.

The State of Tamil Nadu Rep. by its

1. The District Collector,
Ramanathapuram District,
Ramanathapuram – 623 503.
2. The Revenue Divisional Officer,
Thiruvadanai Division,
Ramanathapuram District.
3. The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District – 623 407.
4. The Taluk Surveyor,
O/o.the Tahsildar,
Thiruvadanai Taluk, Ramanathapuram District.
5. The Assistant Engineer,
Public Works Department(Water Resources Department),
Thiruvadanai Division, Ramanathapuram District – 623 407.
6. The Executive Engineer,
Public Works Department(Water Resources Department),



Ramanathapuram Division.

7. The Block Development Officer,
Thiruvadanai Panchayat Union,
Ramanathapuram District – 623 407.

8. Velusamy

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, issuing a Writ of Mandamus, directing the respondents to remove all illegal encroachments made by the eighth respondent in respect of the Government poramboke water body namely, Marakkayar Kulam, comprised in survey No.22/1, measuring an extent of 1.85.5 hectares situated at Karangadu Village, Thiruvadanai Taluk, Ramanathapuram District within a time limit that may be stipulated by this Court.

For Petitioner : Mr.Clinton James,
for M/s.Cleetus.

For Respondents : Mr.C.Venkatesh Kumar,
Special Government Pleader
for R-1 to R-7.

Mr.Karthikeya Venkitachalapathy
for R-8.

* * *

**ORDER**

Heard both sides.

2. The writ petitioner is a resident of Karangadu Village in Thiruvadanai Taluk. He alleges that the eighth respondent has committed illegal encroachment in survey No.22/1 and that the same has to be removed.

3. When the matter was taken up for hearing, the learned counsel appearing for the eighth respondent submitted that the eighth respondent is not acting on his own but he is only representing the villagers of Mullimunai Village. According to him, a Vinayagar temple has been in existence on the bund of Marakkayar Kulam. According to him, this temple has been in existence for over 100 years and that its existence is also reflected in the FMB. According to him, renovation works are now going on.

4. While the religious structure existing as on 15th August 1947 cannot be construed as an encroachment, the villagers of Mullimunai



Village cannot be allowed to expand the dimensions of the existing structure. The photographs produced by the petitioner *prima facie* indicate that some expansions activities have taken place. This has to be necessarily curtailed.

5. We direct the the third respondent to conduct a spot inspection and earmark the original boundaries of the structure. The renovation activities can take place only within the earmarked original boundaries. It appears that some marginal encroachments have also taken place in the water body. That has to be immediately removed at the eighth respondent's cost. The original condition has to be restored. It is also seen that a hut has been put up for Balalayam purposes. That can be allowed to remain till Kumbabishekam. This writ petition stands allowed on these terms. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
09.04.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

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