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W.P.(MD)NO.14106 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2026

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.14106 of 2021

R.Gnana Guru

... Petitioner

Vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.
3. The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.
4. The Tahsildar,
Srivilliputtur Taluk,
Virudhunagar District.
5. The Deputy Tahsildar-1,
Srivilliputhur Taluk,
Virudhunagar District.
6. The Village Administrative Officer,
Valaikulam Village,
Srivilliputtur Taluk,
Virudhunagar District.



7. The Executive Officer,
Mamsapuram Town Panchayat,
Virudhunagar.

8. Sundar

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 7 herein to take necessary steps to remove the encroachments in “Vilangan Oorani” situated in survey No.1161/1, Valaikulam Village, Mamsapuram, Srivilliputhur Taluk, Virudhunagar District.

For Petitioner : Mr.M.Rajaraman

For Respondents : Mr.M.Dinesh Hari Sudarshan,
Government Pleader
for R-1 to R-7.

Mr.C.Mayilvahana Rajendran for R-8.

* * *

ORDER

Heard both sides.

2. The petitioner is a resident of Mamsapuram. He wants the encroachments in the petition mentioned water body to be removed.



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3. When the matter was taken up for hearing, the learned counsel appearing for the eighth respondent submitted that his father was issued what is known as 2C patta in respect of the petition mentioned survey number. It is seen that as many as 31 Mango trees had been grown in the said water body. The learned counsel for the petitioner points out that the said 2C patta had been cancelled and when it was cancelled, the cancellation was put to challenge before this Court. This Court relegated the petitioner to go before the revisional authority. The revisional authority also rejected the claim of the eighth respondent. In fact, the eighth respondent cannot have any claim. The purpose of issuing 2C patta is only to authorize the patta holder to enjoy the usufructs.

4. We are satisfied that if the trees are allowed to be grown in water body, the water body would lose its character. The water body is now virtually a Mango grove. The learned counsel for the eighth respondent states that this petition is vitiated by *malice* as the writ petition is ill-disposed towards the eighth respondent. We are not concerned with the petitioner's credentials. When the factual aspects



are not in dispute, it is the duty of the authorities to take action.

When survey No.1161/1, Valaikulam Village has been classified as Oorani, its character should be maintained as such. The encroachments that are made will have to be removed. This exercise will be completed within a period of four months from the date of receipt of a copy of this order. This writ petition stands allowed accordingly. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
2nd June 2026

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