



W.P(MD)No.15069 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.06.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

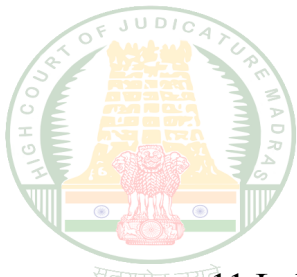
W.P(MD)No.15069 of 2022

M.Rameshpandy

... Petitioner

Vs.

- 1.The District Collector,
Madurai,
Madurai District.
- 2.The Commissioner,
Madurai Corporation,
Madurai.
- 3.The Executive Engineer,
Public Works Department &
Water Resources Organisation,
Planning & Design Division,
Madurai – 2.
- 4.M.Selvakumar
- 5.M.Muthu
- 6.Chellammal
- 7.Petchi
- 8.S.M.Palani
- 9.Poomayil
- 10.Jeya



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11.Lakshmanan
12.Munish

13.The Executive Engineer,
Public Works Department &
Water Resources Organisation,
Periyar Vaigai Drain Division,
Madurai – 2.

***(R.13 is impleaded vide order
of this Court dated 22.11.2022)***

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachments made by the respondents 4 to 12 in S.No.170 which is situated at Ward 99, Devi Nagar, Pasumpon Nagar, Thiruparankundram, Madurai within a time frame fixed by this Court.

For Petitioner : Mr.J.Senthil Kumaraiah

For Respondents : Mr.L.Siva
Government Advocate
for R.1 & R.3

Mrs.S.Devasena
Standing Counsel for R.2

Mr.B.Arun for R.4 to R.6

ORDER

(Order of the Court was made by G.R.Swaminathan J.)

Heard the learned counsel appearing for the writ petitioner, the learned Government Advocate appearing for the respondents 1 to 3, the



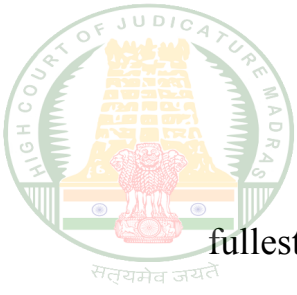
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learned Standing Counsel appearing for the second respondent and the
WEB COPY learned counsel appearing for the respondents 4 to 6.

2.The petitioner alleges that the private respondents herein have committed encroachments.

3.The learned Standing Counsel for the corporation submits that *prima facie* there appears to be an encroachment. However, since the canal is vested with the Public Works Department, it is contended that it is for the third respondent to take appropriate action.

4.We have already held that, in respect of channels flowing through the corporation limits, the corporation should take action. We, therefore, direct the second respondent to issue notices to the private respondents herein, conduct survey and if the second respondent is satisfied that there are encroachments, the same shall be removed. We clarify that due process of law has to be adopted. The encroachers have to be put on notice and given fair opportunity. The entire exercise shall be completed within a period of five months from the date of receipt of a copy of this order. The third respondent is also directed to extend their



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fullest co-operation to the corporation officials while undertaking the said exercise.

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

[G.R.S., J.] [R.P, J.]
08.06.2026

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

To

- 1.The District Collector,
Madurai,
Madurai District.
- 2.The Commissioner,
Madurai Corporation,
Madurai.
- 3.The Executive Engineer,
Public Works Department &
Water Resources Organisation,
Planning & Design Division,
Madurai – 2.
- 4.The Executive Engineer,
Public Works Department &
Water Resources Organisation,
Periyar Vaigai Drain Division,
Madurai – 2.



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AND

R.POORNIMA, J.

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