



W.P.(MD)No.17981 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 24.03.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**W.P.(MD)No.17981 of 2021
and
W.M.P.(MD)No.14852 of 2021**

P.Gandhimathi

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of Rural Development and Panchayat Raj,
Secretariat, St. George Fort,
Chennai – 600 009.
- 2.The Commissioner of Town Panchayat,
Commissionerate of Town Panchayat,
MRC Nagar, Raja Annamalaipuram,
Chennai – 600 028.
- 3.The District Collector,
Thanjavur District,
Collectorate,
Thanjavur – 613 010.
- 4.The Assistant Director of Town Panchayat,
O/o. The Assistant Director of Town Panchayat,
Collectorate, Thanjavur District – 613 010.



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5.The Thasildar,
O/o. The Thasildar,
Chatram Road,
Peravurani,
Thanjavur District – 614 804.

6.The Executive Officer,
Town Panchayat Office,
Perumagalur Town Panchayat,
Peravurani Taluk,
Thanjavur District – 614 612.

7.The Superintending Engineer,
Tamil Nadu Generation And Distribution Corporation Ltd.,
(TANDGEDCO),
No.1, Vallam Road,
Thanjavur – 613 007.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents 1 to 4 to consider and dispose of petitioner's Representation dated 15.07.2021 and consequently to remove the overhead water tank and Motor Pump room illegally constructed in the land comprised in Survey No.48/2B2 of Valayanvayal Village allotted to the Petitioner by the Boomithana Board which is in Petitioner's lawful possession and enjoyment within a stipulated time frame.

For Petitioner : Mr.B.Rooban

For Respondents : Mr.S.Vinodh,
Government Advocate for R1 to R6.
Mr.S.Deenadhayalan for R7



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ORDER

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

The writ petitioner / Gandhimathi is a senior citizen. She was granted one acre and five cents of lands in Survey Nos.48/2B1 and 48/2B2 in Valayanvayal Village under the Bhoodhan Scheme. The specific allegation of the petitioner is that during the Covid pandemic, an overhead tank was constructed in three cents of land in Survey No.48/2B2. The petitioner wanted the same to be removed. The petitioner's request was rejected by the Tahsildar, Peravurani on the ground that the overhead tank had been put up only in Survey No.50/3. Challenging the said communication, this writ petition has been filed.

2.We are more than satisfied that the overhead tank had not been put up in Survey No.50/3 but in the petitioner's allotted land in Survey No.48/2B2. This is evident from the certificate issued by the Tahsildar, Peravurani to TANGEDCO on 21.06.2021. Earlier, the petitioner had invoked the provisions of the Right to Information Act and wanted to know as to where this overhead tank had been put up in her village. The Public Information Officer of the local body informed the petitioner that



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the overhead tank had been put up in S.Nos.52/3 and 48/2B2. Without getting the writ petitioner's consent, the overhead tank could not have been put up in the petitioner's allotted land. However, the petitioner graciously informs the Court that if her possession over the remaining extent of land in Survey Nos.48/2B1 and 48/2B2 is not disturbed, she will not have any objection for the overhead tank to remain.

3.In view of the fair stand taken by the writ petitioner, the Writ of Mandamus originally sought for by her need not be issued. We hope that the respondents as well as the Bhoomidhan Board will not disturb the petitioner's possession over the remaining extent of land.

4.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (R.P. J.)
24.03.2026

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