



W.P(MD) No.20167 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 30.03.2026

CORAM

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

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- 1.Mohammed Ismail
- 2.Rahmathulla
- 3.Syed Masood Beevi
- 4.Meeran Maidheen
- 5.Asan Beevi
- 6.Mohammed Azarudheen
- 7.Ahammed Maidheen
- 8.Abdul Kadhar
- 9.Sheik Hussain Beevi
- 10.Saburaal Beevi
- 11.Yusuf
- 12.Seinambu
- 13.Peer Mohammed

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14.Abdul Rahmaan

15.Syed Sulaimaan

16.Mohammed Ismail

17.Abbas

18.Fathima

19.Basira

20.Kaameela

21.Dhiwan Beevi

22.Kathijal Beevi

23.Maidheen Pitchai

24.Mohammed Illiyas

25.Ismail Beevi

26.Sadham Hussain

27.Mohammed

28.Mohammed

29. Amanulla

... Petitioners

Vs.



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1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Assistant Engineer,
Public Works Department (WRO)
Tenkasi, Tirunelveli District.

3.The Assistant Divisional Engineer,
Highways Department (Construction and Maintenance)
Senkottai, Tirunelveli District.

4.The Thasildar,
Senkottai Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned orders of the 2nd respondent dated 10.09.2018 and quash the same and consequently forbearing the respondents from interfering with the peaceful possession and enjoyment of the petitioners properties situated in Survey No.1420/3 at Vadakarai Keelpidagai Village, Senkottai Taluk, Tirunelveli District.

For Petitioners : Mr.K.Manickam

For Respondents : Mr.S.Vinodh
Government Advocate



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ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The impugned Form III Notice issued by the second respondent is in respect of S.No.1420/3, Vadakarai Keelpidagai Village, Senkottai Taluk.

3. It is seen that this survey number was carved out of S.No. 1420/1. Copy of the “A” register has been made available. It is seen that S.No.1420/1 has been classified as “Mettukaal” ie., water body. Proposal was given by the Tahsildar, Senkottai, to reclassify this land as natham vide proceedings dated 29.08.2000.

4. The Hon'ble Division Bench of this Court in ***W.P.(MD)Nos. 31214 and 31221 of 2023 (R.Manibharathi Vs. Union of India)*** had categorically held that any patta issued after 01.01.2000 in respect of water body has to be treated as null and void and therefore, the



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petitioners cannot have any claim over the petition mentioned survey number.

5. The learned counsel for the petitioners states that the petitioners belong to the lower strata of society and that therefore, they have to be given alternative sites.

6. Even while sustaining the impugned Form III notice, we direct the District Collector, Tenkasi to consider the applications of the writ petitions for allotment of alternative sites. We make it clear that we have not given any positive direction. The case of each of the applicants will be considered as per the existing administrative norms. The impugned Form III notice shall be enforced as expeditiously as possible.

7. The writ petition is dismissed with the aforesaid direction. No costs.

(G.R.S., J.) (R.P., J.)
30.03.2026

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