



W.P.(MD).No.35874 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.35874 of 2025

and

W.M.P(MD).No.28514 of 2025

D.Prabhakaran

... Petitioner

Vs.

- 1.The District Collector,
Collector Office,
Theni District,
Theni.
- 2.The District Revenue Officer,
Collector Office,
Theni District,
Theni.
- 3.The Revenue Divisional Officer (RDO),
Collector Office,
Theni District,
Theni.
- 4.Thasildhar,
Uthamapalayam Taluk,
Theni District,
Theni.



W.P.(MD).No.35874 of 2025

WEB COPY

5.The Municipal Commissioner,
Uthamapalayam Taluk,
Theni District,
Theni.

6.The Assistant Engineer / Assistant Executive Engineer,
Municipal Commissioner Officer,
Uthamapalayam Taluk,
Theni District,
Theni.

7.Chellaiya

8.The President,
Uthamapalayam Town Panchayat,
Uthamapalayam Taluk,
Theni District,
Theni.

9.The Assistant Engineer / Assistant Executive Engineer,
Uthamapalayam Town Panchayat,
Uthamapalayam Taluk,
Theni District,
Theni.

*(R8 and R9 are impleaded vide Court order dated
09.01.2026 in W.M.P.(MD).No.623 of 2026
in W.P.(MD).No.35874 of 2025)*

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of MANDAMUS, directing the eighth and ninth respondents to consider the petitioner's representation dated 04.08.2025 and not to interfere with the petitioner's property, consequently direct the eighth and ninth respondents to demolish the constructing water tank and construct the same at any alternative place at a reasonable distance far away from the



W.P.(MD).No.35874 of 2025

petitioner's land. (Prayer is amended vide Court order dated 23.01.2026 in
W.M.P.(MD).No.1442 of 2026 in W.P.(MD).No.35874 of 2025)

For Petitioner : M/s.C.Ambika

For R1 to R4, R8 & R9 : Mrs.D.Farjana Ghoushia,
Special Government Pleader

ORDER

The present writ petition has been filed seeking a writ of mandamus, directing the eighth and ninth respondents to consider the petitioner's representation dated 04.08.2025 and not to interfere with the petitioner's property and consequently direct the eighth and ninth respondents to demolish the water tank and construct the same at any alternative place.

2. On a perusal of the records, it is revealed that the petitioner is the owner of Survey No.879/1A and patta has been issued in his favour under Patta No.3167. As per the contentions of the learned counsel appearing for the eighth and ninth respondents, the water tank has been constructed in Survey No.878, which is classified as 'Mayanam Poromboke'.



W.P.(MD).No.35874 of 2025

WEB COPY

3. In view of the above facts, it is clear that the petitioner's property has not been disturbed in any manner by the respondents by the construction of the water tank in Survey No.878.

4. Considering the above facts, the petitioner cannot have any grievance with respect to the construction of the water tank in Survey No.878, which is classified as 'Mayanam Poromboke'.

5. With the above clarification, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

02.02.2026

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

To

1.The District Collector,
Collector Office,
Theni District,
Theni.

2.The District Revenue Officer,
Collector Office,
Theni District,



W.P.(MD).No.35874 of 2025

WEB COPY

- Theni.
- 3.The Revenue Divisional Officer (RDO),
Collector Office,
Theni District,
Theni.
 - 4.Thasildhar,
Uthamapalayam Taluk,
Theni District,
Theni.
 - 5.The Municipal Commissioner,
Uthamapalayam Taluk,
Theni District,
Theni.
 - 6.The Assistant Engineer / Assistant Executive Engineer,
Municipal Commissioner Officer,
Uthamapalayam Taluk,
Theni District,
Theni.
 - 7.The President,
Uthamapalayam Town Panchayat,
Uthamapalayam Taluk,
Theni District,
Theni.
 - 8.The Assistant Engineer / Assistant Executive Engineer,
Uthamapalayam Town Panchayat,
Uthamapalayam Taluk,
Theni District,
Theni.



WEB COPY



W.P.(MD).No.35874 of 2025

R.VIJAYAKUMAR,J.

pal

W.P(MD)No.35874 of 2025

02.02.2026