



W.P.(MD)No.36301 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 08.01.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.36301 of 2025

K.R.Subbaiya

... Petitioner

Vs.

- 1.The District Collector,
O/o.The District Collector,
Theni District.
- 2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Uthamapalayam Taluk,
Theni District.
- 3.The Tahsildar,
O/o.The Tahsildar,
Uthamapalayam Taluk,
Theni District.
- 4.The Assistant Executive Engineer
(Water Resource Department),
O/o.The Assistant Executive Engineer,
Uthamapalayam,
Theni District.
- 5.The Assistant Engineer,
O/o.The Assistant Engineer,
Uthamapalayam,



W.P.(MD)No.36301 of 2025

Theni District.

6.Ponguru

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the Respondent No.1 to 5 to remove the encroachment made by the Respondent No. 6 in the Water body namely Chinna Vaaikal which is located in Chinnamanur, Uthamapalayam Taluk, Theni District measuring about 0.3150.0 Sq.mt comprised in Ward B, Block 7, T.S.No. 29, Old Survey No. 1040 by considering the petitioner's representation dated 20.11.2025 within a stipulated time fixed by this Court.

For Petitioner :Mr.S.Shamini

For Respondents :Mr.C.Venkatesh Kumar
Special Government Pleader
for R1 to R5

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader for the official respondents. Issuance of notice to the private respondent is dispensed with.

2. The petitioner is a resident of Chinnamanur. He states that in the petition-mentioned water bodies, there are encroachments.



W.P.(MD)No.36301 of 2025

3. When the matter was taken up for hearing, the learned Special Government Pleader admits that the petition-mentioned survey numbers have been classified as water bodies.

4. In this view of the matter, we direct the third respondent to conduct survey. Notice shall be given to all the interested persons & encroachers before conducting survey. If the survey results indicate that there are encroachments in the water body, the same shall be removed. All the encroachers shall not only be put on notice but also given due opportunity. All the encroachments shall be cleared within a period of four months from the date of receipt of a copy of this order.

4. The Writ Petition is disposed of accordingly. No costs.

[G.R.S., J.] [B.P., J.]
08.01.2026

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

To

1.The District Collector,
O/o.The District Collector,
Theni District.

3/5



W.P.(MD)No.36301 of 2025

WEB COPY

- 2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Uthamapalayam Taluk,
Theni District.
- 3.The Tahsildar,
O/o.The Tahsildar,
Uthamapalayam Taluk,
Theni District.
- 4.The Assistant Executive Engineer
(Water Resource Department),
O/o.The Assistant Executive Engineer,
Uthamapalayam,
Theni District.
- 5.The Assistant Engineer,
O/o.The Assistant Engineer,
Uthamapalayam,
Theni District.



WEB COPY



W.P.(MD)No.36301 of 2025

G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

rmi

W.P(MD)No.36301 of 2025

08.01.2026