



W.P.(MD)No.135 of 2026

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.135 of 2026
&
W.M.P.(MD)Nos.126 & 127 of 2026

B.Alwin Rajapaul

... Petitioner

Vs.

1.The District Collector,
Collectorate,
At Nagercoil,
Kanniyakumari District.

2.The Tahsildar,
Agastheeswaram Taluk,
Kanniyakumari District

3.The Executive Engineer,
Kothaiyar River Basin,
Nagercoil,
Kanniyakumari District.

4.The Assistant Executive Engineer,
Kothaiyar River Basin,
Mylaudy,
Kanniyakumari District.

5.P.Paalvarnaperumal

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the 1st to 4th respondents to take appropriate action against 5th respondent who laid a pathway by encroaching the channel in New Sy. Nos. 335/9 and 335/10 of South Thamaraikulam Village, Agastheeswaram Taluk, Kanniyakumari District belongs to the 3rd respondent herein and to restore the said channel by considering the petitioners representation dated 10.12.2025 within a time frame that may be stipulated by this Court.

For Petitioner :Mr.SC.Herold Singh

For Respondents :Mr.C.Venkatesh Kumar
Special Government Pleader
for R1 to R4

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 Kottaiyadi, Swamythoopu Post, Kanniyakumari District. He states that in the petition-mentioned water bodies, there are encroachments.



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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 second 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. Consequently, connected miscellaneous petitions are closed.

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

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