



Rev.Apl.W(MD)No.30 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2026

CORAM

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

**Rev.Apl.W.(MD)No.30 of 2026
in
W.P.(MD)No.3703 of 2017**

Srinivasan

... Petitioner

Vs

**1.The District Collector,
Pudukottai.**

**2.The Commissioner,
Pudukottai Municipality,
Pudukottai.**

**3.The Tahsildar,
Pudukottai Taluk,
Pudukottai District.**

**4.The Deputy Collector / Revenue Divisional Officer,
Pudukottai.**

**5.The District Revenue Officer,
Pudukottai.**

**6.The Assistant Director,
District and Survey Department,
Collectorate, Pudukottai.**

7.Selvam

... Respondents



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Prayer: Review Application is filed under Order XLVII, Rules 1 and 2 of the Civil Procedure Code r/w. Article 226 of the Constitution of India, to review the order of this Court in W.P.(MD)No.3703 of 2017 dated 13.07.2017 directing Respondents 1 to 6 to remove the encroachment of road prompoko in Survey No.1193 of Machuvadi Pudukkottai and Tank prompoko in Survey No.106, Naipallam Village, Pudukkotai made by 7th Respondent.

For Petitioner : Ms.N.Rathana,
For Mr.N.Balakrishnan.

For Respondents : Mr.S.Vinodh,
Govt. Advocate for R1, R3 to R6.
Mr.J.Sri Prasad for R2
No appearance for R7

ORDER

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

The review applicant herein filed W.P.(MD)No.3703 of 2017 for removing the encroachment committed by the 7th respondent in the writ petition in two survey numbers. The writ petition was disposed of by the Hon'ble Division Bench on 13.07.2017 in the following terms:-

"3.The petitioner is given liberty to submit a comprehensive representation to the concerned authority, namely, the Assistant Engineer, Public Works Department,



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Pudukottai, for removal of encroachment on Tank-bed. In case, any representation is given by the petitioner, the same shall be considered and disposed of by the Assistant Engineer, Public Works Department, Pudukottai, after issuing notice to the seventh respondent. Such exercise shall be completed within a period of four months from the date of receipt of representation."

2.We were informed that it is only the Public Works Department which was competent to remove the encroachments in question. Subsequently, it turned out that Public Works Department can remove the encroachment only in one of the survey numbers and that it is only the local body which can remove the other encroachment. Hence, this review application has been filed.

3.It is stated that Public Works Department had already removed the encroachment in T.S.No.1193 . They had expressed their inability to remove the encroachment in survey S.No.106 which is a tank poramboke. According to them, it vests in the local body. We are of the view that for this reason, there is no need to review the earlier order passed by the Division Bench. We grant liberty to the review applicant to submit a fresh representation to the Commissioner, Pudukottai Corporation for removing the encroachment in S.No.106. Upon receipt of



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said representation, the Commissioner, Pudukottai Corporation shall take action as per law. It is needless to mention that the encroachers have to be put on notice and due process of law must be observed. The Commissioner, Pudukottai Corporation shall complete this exercise within a period of four months from the date of receipt of representation from the review applicant.

4.This review application is accordingly disposed of. No costs.

(G.R.S. J.,) & (R.P. J.,)
17.03.2026

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

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Pudukottai.
- 3.The Tahsildar,
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Pudukottai District.



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**G.R.SWAMINATHAN, J.
and
R.POORNIMA, J.**

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