

W.P(MD)No.15515 of 2020

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 23.07.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM  
AND  
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.15515 of 2020  
and  
W.M.P.(MD) No.13024 of 2020**

M.Ponnusamy

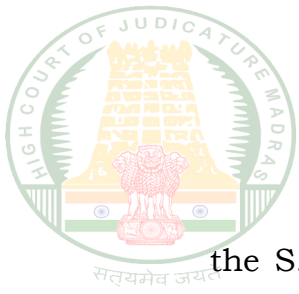
... Petitioner

Vs.

- 1.The District Collector,  
Sivagangai District,  
Sivagangai.
- 2.The Assistant Engineer,  
Water Resources Organization,  
Public Works Department,  
Sivagangai,  
Sivagangai District.
- 3.The Tahsildar,  
Thiruppuvanam Taluk,  
Sivagangai District.
- 4.Marimuthu
- 5.Nagarani

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents from permitting any kind of construction of any permanent superstructure or in the nature of any superstructure in



W.P(MD)No.15515 of 2020

the S.No.114 of Ladanendal Village, Thriuppuvanam Taluk, which is classified as 'Yendal Kanmoi' and directing the respondents 1 to 3 herein to remove the encroachment made by the respondents 4 to 5 in S.No.114 Ladanendal Village, Thriuppuvanam Taluk, which is classified as Yendal Kanmoi.

For Petitioner : Mr.J.Anandkumar

For Respondents : Mr.P.Thilakkumar  
Govt. Pleader (for R1 to R3)

Mr.S.Stavenson for  
M/s Lajapathi Roy Associates

### **ORDER**

**[Order of the Court was made by S.M.SUBRAMANIAM, J.]**

This writ petition is filed seeking issuance of a Writ of Mandamus forbearing the respondents from permitting any kind of construction of any permanent superstructure in S.No.114 of Ladanendal Village, Thriuppuvanam Taluk, which is classified as 'Yendal Kanmoi,' and directing the respondents 1 to 3 herein to remove the encroachment made by the respondents 4 to 5 in S.No.114 Ladanendal Village, Thriuppuvanam Taluk, which is classified as Yendal Kanmoi.

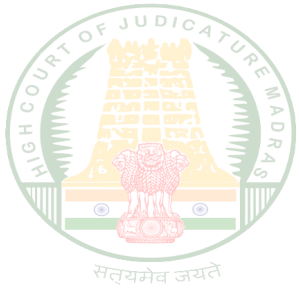


W.P(MD)No.15515 of 2020

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2. When the matter is taken up for hearing, the learned Government Pleader, on instructions, submits that there is no encroachment identified in the subject property. A counter affidavit has also been filed. The relevant paragraph 7 of the counter affidavit reads as follows:-

“7. It is humbly submitted that the Government High School is now functioning in Survey No.114/2, Adjacent to Survey No.114/3, there is a private temple in the name of Poongavanam Muthumariyamman Temple. There is no encroachments in Survey number 114/3. As there is no bund in Survey No.114/3, the rain water was not saved. Hence, the District Administration has taken steps to deepen the water water body (Enthal kanmai) in Survey No.114/3 of Ladanendal Village and also decided to raise the existing bunds to store water. For this work the District Administration has utilized the service of Government JCB machines to remove the silt deposited in Survey No.114/3. Further, the same silt was utilized for raising bunds. As stated by the petitioner, no permission was granted to the private respondents 4<sup>th</sup> and 5<sup>th</sup> for construction of Teppakulam and walls in Survey number 114/3. The action take by the District Administration is only for the storage of rain water and not for any



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W.P(MD)No.15515 of 2020

other purpose and to utilize the water body for water storage purpose.”

3. In view of the above fact, this writ petition stands closed. No costs. Consequently, connected miscellaneous petition is also closed.

**[S.M.S., J.] [A.D.M.C., J.]**  
**23.07.2025**

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

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To

- 1.The District Collector,  
Sivagangai District,  
Sivagangai.
- 2.The Assistant Engineer,  
Water Resources Organization,  
Public Works Department,  
Sivagangai,  
Sivagangai District.
- 3.The Tahsildar,  
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**and**  
**DR.A.D.MARIA CLETE, J.**

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