

W.P(MD)No.36586 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.03.2026

CORAM

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

**W.P(MD)No.36586 of 2025
and
W.M.P(MD)No.4466 of 2026**

T.Shaji

... Petitioner

Vs.

The State represented by

1.The District Collector,
Kanniyakumari District,
Nagercoil – 629 001.

2.The Tahsildar,
Killiyoor Taluk,
Kanniyakumari District.

3.The Taluk Surveyor,
Office of The Tahsildar,
Killiyoor Taluk,
Kanniyakumari District.

4.The Assistant Executive Engineer,
Water Resources Department,
Kothaiyar Basin Division,
Seruppalloor,
Kanyakumari District.



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5.The Executive Engineer,
Water Resources Department,
Kothaiyar Basin Division,
Nagercoil,
Kanyakumari District.

6.The Assistant Executive Engineer,
Water Resources Department,
Neyyar Division,
Kuzhithurai,
Kanyakumari District.

... Respondents

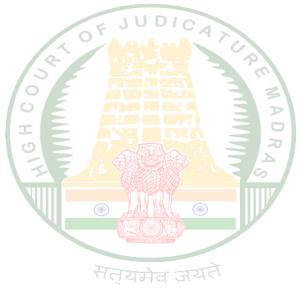
Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to forthwith conduct a fresh, transparent and joint survey of the Government water body known as “Eetham Pazhanji Kulam” situated in Survey No.334/5, Ezhuthesam “C” Village, Killiyoor Taluk, Kanniyakumari District, strictly in accordance with original revenue records, village accounts, Field Measurement Book (FMB) and A-Register, after giving due notice to the petitioner and affected villagers, identify and remove all encroachments, and restore the said Kulam to its full original extent of 0.190 Hectares (46.95 Cents) as confirmed by official RTI records dated 03.10.2025, within a time limit that may be fixed by this Court.

For Petitioner : M/s.W.Cleetus

For Respondents : Mr.C.Venkatesh Kumar
Special Government Pleader

ORDER

Heard both sides.



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2. When the matter was taken up for final hearing, the learned Special

Government Pleader, on written instructions, submitted that survey was conducted on 28.01.2026 in the presence of the writ petitioner. The authorities did not notice any encroachment in Survey No.334/5. But in Survey No.334/1, encroachment was noticed. They have already issued Form – I and Form – II notices.

3. We direct the authorities to take the process to its logical conclusion and remove all the encroachments in the water body.

4. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
13.03.2026

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

To

1. The District Collector,
Kanniyakumari District,
Nagercoil – 629 001.

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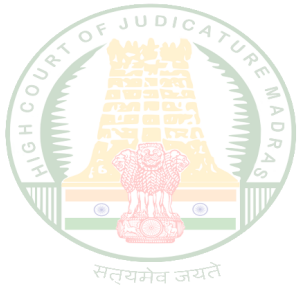
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