

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE, CHENNAI**

O.A. No. 68 of 2025

R. Manikandan

....Applicant

Versus

District Collector,

Collector Office, Tenkasi - 627811 & 7 Ors

....Respondents

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Dated at Chennai on this the 5th day of August 2025


COUNSEL FOR THE RESPONDENT Nos. 7 and 8

DManikandan HS ROWDY 215/2011**S/o Ramarpandian, 2/19, Mupudathiamman Kovil street, Tharugapuram****FIR for PULIYANGUDI SUB DIVISION**

S NO	Police Sation	CR.NO.& SECTION	COMPLAINT by	STATUS
1.	Puliyangudi PS	Cr.No. 25/2007 U/s, 294(b), 323 - IPC @ 294(b), 325, 34 - IPC	SRITHAR (71) , (S/O) SANKUNNI, 3/56 C PARAI KUKALAM ROAD MALAIADI KURUCHI	CHEETDING ON 12.01.2007 - DISPOSED ON 21.06.2017 Lr.Senthilkumar P
2.	Vasudevanallur PS	Cr.no: 77/2008 U/s 279, 337, 338 IPC	Veerasamy s/o Subbiah Nidu 14/19, Marimankoil West Street, Melakadayanallu.	ACCIDENT ON 12.06.2008 DISPOSED ON 15.06.2017 Lr.Kumaresan S.
3.	Puliyangudi PS	Cr.No. 258/08 U/s, 294(b), 406, 506(ii) IPC	Ramar Pandian S/o, Shanmugaiah Thevar, 17, Muppudathi AmmanKovil St, Dharugapuram	
4.	Vasudevanallur PS	Cr.no: 71/2012 U/s 107 Crpc	SornavelSI Vasudevanallur PS	
5	Vasudevanallur PS	Cr.no: 277/2012 U/s 294(b), 506(2) IPC	Ramar S/o Gurusamy, Ramaiah Street, Vasudevanallur.	SAND ON 10.12.2012 DISPOSED ON 04.12.2014 Lr.Kumaresan S.
6	Vasudevanallur PS	Cr.no: 218/2013 U/s 379 IPC	Muthusubramaniam, Inspector of Police.	SAND ON 22.08.2013 - DISPOSED ON 04.12.2014 Lr.
7	Vasudevanallur PS	Cr.no: 88/2017 U/s 294(b), 341, 387, 506(i) IPC	Gurusamy S/o Irulandi Irulappa Samy Kovil st, Vasudevanallur.	SAND on 17.04.2017 - Next Hearing Date 09.05.2023
8.	Vasudevanallur PS	Cr.No. 121/2018 U/s, 294(b), 353, 379, 506(1) - IPC	MURUGESHWARIVILLAGE ADMINISTRATIVE OFFICER NARANAPURAM-II	SAND on 04.06.2018 - Next Hearing Date 08.06.2023
9	Thiruvengadam PS	Cr.no: 45/2018 U/s 273, 338 @ 279, 304(A) IPC	Paulraj S/o Kadarkarai, Uoor Pillaiyar Kovil Street, Velappanadr.	ACCIDENT ON 10.03.2018 - Next Haring Dt. 19.07.2023
10	Puliyangudi PS	Cr.No. 21/2018 U/s, 110(a) -CRPC	Pathrakali @ Pavun WSI ,	Fighting ON 20.01.2018
11.	Puliyangudi PS	Cr.No. 191/2018 294(b), 323, 506(1) - IPC	THANGAPAZHAM (65) (S/O) SUBRAMANIAN PUTHUMANTHAI 2ND STREET VASUDEVANALLUR	Fighting ON 26.05.2018 Next Hearing Dt. 06.04.2023
12	Puliyangudi PS	Cr.No. 45/2019 U/s, 107 - CRPC	ShanmugavelSI	Election Fight on 20.02.2019
13	Puliyangudi PS	Cr.No. 364/2019 294(b), 323, 324, 341, 506(2) -IPC	HARIHARA SIVAKUMAR (40) , (S/O) INDRAN WEST STREET THARUGAPURAM	Fighting ON 02.10.2019
14	Vasudevanallur PS	Cr.No. 330/2020 U/s, 294(b), 353, 379, 506(1) - IPC	M.KJAMYDEEN VILLAGE ADMINISTRATIVE OFFICER, SANGANAPERI	SAND on 12.08.2020 - Next Hearing Date 12.05.2023
15	Puliyangudi PS	Cr.no: 442/2020 U/s 294(b), 323, 506(2) IPC	Venkadesh S/o Rajasekran, B64 Mullai Steet, Thentral Nagar, Rajapalayam.	Fighting ON 22.05.2020 DISPOSED ON 08.09.2021 Lr.
16	Vasudevanallur PS	Cr.no: 23/2021 U/s 294(b), 307, 324, 506(2) IPC	Vellaiya S/o Vellaiappan, Inthira Colony, Sanganaperi.	Fighting on 16.01.2021 DISPOSED ON 01.08.2022 Lr.
17	Vasudevanallur PS	GOONDAS No.04/2021	Inspector of Police, Vasudevanallur	GOONDAS ON 25.01.2021

	Puliyangudi PS	Cr.no:37/2023 U/s 294(b),323,356,506(1)/ PC 3(1)(r),3(1)(s)	Mrs. Veleanganni Mahatma Gandhi National Rural Development, Dharugapuram.	<u>SCH caste & SCH tribes on</u> <u>03.02.2023</u>
19	Puliyangudi PS	Cr.No.91/2023 U/s 341,294(b),353,506(2)	Indian Penal Code 1860 Thrugapuram Rural Devepment Members – Fighting on 09.03.2023	Fighting on 09.03.2023 – Arrest on 27.03.2023 & 15 Days remand
20	Puliyangudi PS	GOONDAS No. 21/2023	<i>Inspector of Police,</i> <i>Puliyangudi.</i>	GOONDAS ON 30.03.2023

MANIKANDAN HS ROWDY 215/2011
S/O. RAMARPANDIAN, 2/19, MUPADATHIAMMAN KOVIL STREET, THARUGAPURAM

FIR FOR PULIYANGUDI SUB DIVISION

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20	Puliyangudi PS	GOONDAS No. 21/2023	Inspector of Police, Puliyangudi.	GOONDAS ON 30.03.2023

MEMORANDUM OF WRIT PETITION
(Under Article 226 of the Constitution of India)

IN THE HIGH COURT OF JUDICATURE AT MADRAS
MADURAI BENCH
(Special Original Jurisdiction)

W.P.(MD)No. 10817 of 2025

R.Manikandan,
S/o.Ramar Pandian,
Muppidthiamman Koil Street,
Tharugapuram,
Sivagiri Taluk,
Tenkasi District.

...Petitioner

-Vs-

1. The District Collector, */Monitoring Committee,*
Collectorate,
Tenkasi,
Tenkasi District.
2. The Revenue Divisional Officer,
Sankarankovil,
Tenkasi District.
3. The Tahsildar,
Sivagiri Taluk,
Sivagiri,
Tenkasi District.
4. The Executive Engineer,
Melavaippar Basin Division,
Public Works Department,
Rajapalayam,
Virudhunagar District.

5. Thangapazham,
S/o.Subramanian,
2nd Puthu Manthai Street,
Vasudevanallur,
Sivagiri Taluk, Tenkasi District.

6. Vadivu,
D/o.Thangapazham,
2nd Puthu Manthai Street,
Vasudevanallur,
Sivagiri Taluk, Tenkasi District.

... Respondents

WRIT PETITION

The address for service on the petitioner is that of **Party-in-Person Mr.R.Manikandan**, residing at Muppidthiamman Kovil Street, Sivagiri Taluk, Tenkasi District.

The address for service of respondents are the same as stated above.

For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a Writ, Order or Direction in the nature of **WRIT OF MANDAMUS** directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 and 6 over the land in S.No.1381 situates in Narayanapuram Village, part-II, Sivagiri Taluk, Tenkasi District within a time stipulated by this Hon'ble Court and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

Dated at Madurai on this the day of April, 2025.

PARTY-IN-PERSON

IN THE HIGH COURT OF JUDICATURE AT MADRAS
MADURAI BENCH
(Special Original Jurisdiction)

W.P.(MD)No. of 2025

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2nd Puthu Manthai Street,
Vasudevanallur,
Sivagiri Taluk,
Tenkasi District.

R. Manikandan

6. Vadivu,
D/o.Thangapazham,
2nd Puthu Manthai Street,
Vasudevanallur,
Sivagiri Taluk,
Tenkasi District.

... Respondents

AFFIDAVIT OF THE PETITIONER

I, R.Manikandan, S/o.Ramar Pandian, Hindu, aged about 42 years, residing at Muppidathiamman Koil Street, Tharugapuram, Sivagiri Taluk, Tenkasi District, now temporarily come down to Madurai do hereby solemnly affirm and sincerely state as follows:

1. I am the petitioner herein and as such I am well acquainted with the fact and circumstances of the case.

2. I humbly submit that I am resident of Sivagiri Taluk, Tenkasi District and I am filing this writ petition in the interest of public and I undertake to pay the cost, if this Hon'ble Court finds that the writ petition is intended for personal gain or oblique motive. I further submit that I have filed this writ petition out of my own fund and to best of my knowledge no public interest litigation arising on the same issue has been filed anywhere and I have not encroached any land in anywhere. I am an Agriculturist. I am filing this writ petition with my personal knowledge and the information collected in person. I have enclosed my Aadhar Card No.5467 1921 1461 in the typed set of papers.

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Corrns:

R. Manikandan

3. I respectfully submit that I am an agriculturist and a social activist. As such, the property in Survey No.1381, Naryanapuram Village, Part-II, Sivagiri Taluk, Tenkasi District is classified as river poramboke. In fact, the said land has been encroached by the respondents 5 and 6 herein. Notwithstanding that the respondents 5 and 6 under the guise of running a brick chamber have encroached the river Poramboke. Apart from that the respondents 5 and 6 have raised compound wall and they are indulging in the sand theft of river sand also.

4. I respectfully submit that in this connection, I submitted representation to all the respondents on 13.02.2025 requesting them to remove the encroachment made by the respondents 5 and 6 from the land in S.No.1381 which is a river poramboke. Based on my representation, it appears that there was inspections by the respondents 3 and 4 and the communication sent by the respondents 3 and 4 have confirmed the encroachments made by the respondents 5 and 6. But most unfortunately, no steps have been taken to remove the encroachments so far.

Under these circumstances, I am left with no other option except to approach this Hon'ble Court for the Writ of Mandamus under Article 226 of the Constitution of India.

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Corrns:

R. Manikandan

-4-

It is therefore prayed that this Hon'ble Court may be pleased to issue a Writ, Order or Direction in the nature of **WRIT OF MANDAMUS** directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 and 6 over the land in S.No.1381 situated in Narayanapuram Village, part-II, Sivagiri Taluk, Tenkasi District within a time stipulated by this Hon'ble Court and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

Solemnly affirmed at Madurai
on this the 7th day of April, 2025
and signed his name in
my presence

4^h & Last Page
Corrns:

R. Manikandees
PARTY-IN-PERSON

11
MADURAI BENCH OF MADRAS HIGH COURT
WP(MD). No. 10813 of 2025

R.MANIKANDAN, S/O RAMAR PANDIAN, MUPPIDATHIAMMAN KOIL STREET,
THARUGAPURAM, SIVAGIRI TALUK, TENKASI DISTRICT.

...Petitioner

Vs

THE DISTRICT COLLECTOR / MONITORING COMMITTEE , COLLECTORATE, TENKASI,
TENKASI DISTRICT.
and 5others

...Respondents

To
RS ✓ 5.THANGAPAZHAM, S/O SUBRAMANIAN, 2ND PUTHU MANTHAI STREET,
VASUDEVANALLUR, SIVAGIRI TALUK, TENKASI DISTRICT.

6.VADIVU, D/O THANGAPAZHAM, 2ND PUTHU MANTHAI STREET,
VASUDEVANALLUR, SIVAGIRI TALUK, TENKASI DISTRICT.

Whereas upon Motion made unto this Court by Thiru R.MANIKANDAN (PARTY Advocate for the petitioner, the Court has directed the issue of notice to you (Respondent Nos. 5 & 6) returnable on 17/06/2025.

Take notice that the WP(MD). No. 10813 of 2025 is set down for hearing on 17/06/2025 for orders as to admission.

Notice of Motion has been ordered on 22/04/2025.

(Copy enclosed)

CSL
02/05/2025

3/05.05.2025
Sub Assistant Registrar (WRITS)

NOTE: Copies of Petition and affidavit have been served on the Government Pleader.



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TYPED SET OF PAPERS

M/s. M. Vijayamehanath [3281/09]

S. Saravanan [874/11]

R. Suresh [1060/16]

E. Karthikeyan [2219/20]

COUNSEL FOR THE RESPONDENT Nos. 7 & 8