

WP No.29422 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2025

CORAM

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WP No.29422 of 2025
and WMP No.32968 of 2025.

Prakasam
S/o.Nagarathinam,
Samburayar Kodangudi,
No.56, Nemmeli Village,
Sirkazhi Taluk,
Mayiladuthurai District.

Petitioner(s)

Vs

The District Collector
Mayiladuthurai District
and 2 others

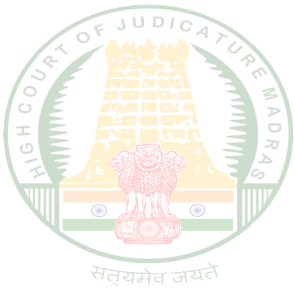
Respondent(s)

For Petitioner(s):

Mr.M.Vijaya Ragavan

For Respondent(s):

Mr.K.Karthik Jagannath,
Government Advocate



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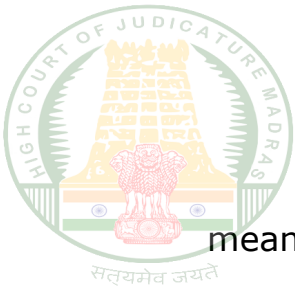
ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This public interest litigation seeks to raise an issue with regard to raising of new buildings of the Primary Health Centre and Panchayat Office on the land which has been recorded as water body.

2. What is reflected from the counter affidavit is that on the land in dispute, the Primary Health Centre is being run since many decades and the public interest litigation was filed only when the dilapidated building was demolished and new structure was raised. We also find from the counter that on this land, which is recorded as Karikulam, there are as many as six structures, which accommodate public buildings used by the people at large.

3. We are inclined to pass a detailed order in the matter. The State shall submit appropriate proposal for shifting of these buildings so as to clear the water body, within eight weeks. In the



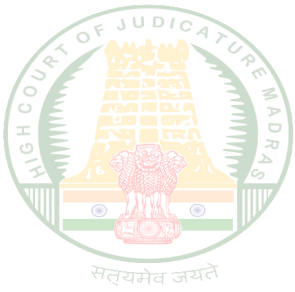
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meantime, the remaining area of Karikulam shall not be allowed for raising any construction whatsoever.

4. We find that, in many cases, various public buildings are being constructed on water bodies. Such constructions obviously must have been permitted by an authority, under his sanction, without verifying from the records as to the nature of the land.

5. We, accordingly, are inclined to direct the State Government to issue necessary directions/circular to the effect that if any public building/institution is found constructed on a water body, appropriate disciplinary action and action towards recovery of monetary loss caused to the public exchequer shall be initiated against the authority, who granted sanction for construction.

6. A copy of the circular issued be placed for perusal of this court on the next date of hearing.



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7. List the matter on 3.12.2025.

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(MANINDRA MOHAN SHRIVASTAVA,CJ) (G.ARUL MURUGAN,J)
08.10.2025

Note to Registry:

*Mark a copy of this order to the
Chief Secretary, Government of
Tamil Nadu, Secretariat, Chennai.*

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To:

1. The District Collector
Mayiladuthurai District.
2. The Revenue Divisional Officer
Sirkazhi, Mayiladuthurai District.
3. The Tahsildar
Sirkazhi Taluk,
Mayiladuthurai District.