



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 2071 of 2022 AND
WMP NO. 2222 OF 2022

S.Mani

..Petitioner(s)

Vs

1. The District Collector
District Collectorate, Kallakurichi 606 202
2. The Revenue Divisional officer
Tirukoilur and Taluk Kallakurichi District
3. The Tahsildar
Ulundurpet and Taluk,
Kallakurichi District
4. The Block Development officer
Thirunavalur Panchayat Union Thirunavalur
Ulundurpet Taluk Kallakurichi District
5. The Panchayat President
Colony murugan Koil Street Thirunavalur
and Post, Ulundurpet Taluk, Kallakurichi
District
6. Kathirvel

..Respondent(s)

Prayer: To forbear the respondents 1 to 5 from disturbing the peaceful possession and enjoyment of the grama natham land comprised in Old Survey No. 111 / 1 and New Survey No. 300 / 21, 300/22 and south



eastern portion of survey No. 300/19 and in all measuring 0.03 ares i.e. 27 feet on East to West and 125 feet on North to south situated at North street, Thirunavalur village, Ulundurpet Taluk Kallakurichi District.

For Petitioner: MS.B.DHARANI FOR MR.T.Gandhi

For Respondents: Mr.T.Arun Kumar, AGP for R1 to 3.
Mr.M.S.Premkumar, Govt. Advocate for R4.
No Appearance For R5 & 6

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

Writ Petition has been instituted to forbear the respondents 1 to 5 from disturbing the peaceful possession and enjoyment of the Grama Natham land comprised in Old Survey No.111/1 and New Survey No.300/21, 300/22 and South Eastern portion of S.No.300/19 and in all measuring 0.03 ares, i.e. 27 feet on East to West and 125 feet on North to South, situated at North Street, Thirunavalur Village, Ulundurpet Taluk, Kallakurichi District.

2. The nature of relief sought for in this writ petition is not maintainable, since it involves civil right.



3. Learned Additional Government Pleader appearing for R1 to R3 would submit that one Mr.R.Kathirvel, had filed W.P.No.19342 of 2020, seeking removal of encroachment. This Court passed an order on 21.12.2020, directing the Authorities to conduct inspection, survey and take appropriate decision. The petitioner herein is also an encroacher.

4. That being the factum, the relief sought for in this writ petition, viz., forbearing the respondents 1 to 5 from disturbing his peaceful possession and enjoyment, cannot be granted, as it would fall beyond the realm of powers of judicial review.

5. In this regard, learned counsel for the petitioner would submit that a Civil Suit in O.S.No.183 of 2015 on the file of Principal District Munsif, Ulundurpet is pending. That being the factum, the writ petition is not maintainable. However, in the event of identifying encroachments, competent Authorities shall remove all such encroachments by following the procedures as contemplated under the Statute and Rules as expeditiously as possible.



WEB COPY

WP No. 2071 of 2



S.M.SUBRAMANIAM J.
AND
C.KUMARAPPAN J.
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With the above observations, the present Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

(S.M.S.,J.) (C.K.,J.)
16-02-2026

Index: Yes
Speaking/Non-speaking order
Neutral Citation: Yes/No
AR

To:

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W.P.No.2071 of 2022