



W.P(MD) Nos.805 to 811 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 02.06.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

W.P(MD) Nos.805 to 811 of 2024

and

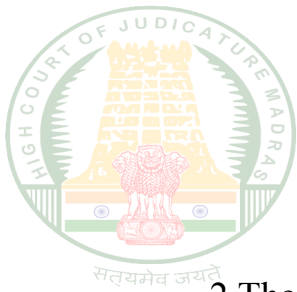
**W.M.P.(MD)Nos.801, 802, 803, 804, 805, 806, 808, 809, 810, 811, 812,
813, 815, 818, 821, 827, 829, 830, 834, 835 & 836 of 2024**

Saroja	... Petitioner in W.P.(MD)No.805 of 2024
Santhi	... Petitioner in W.P.(MD)No.806 of 2024
Sisil	... Petitioner in W.P.(MD)No.807 of 2024
Noorjahan	... Petitioner in W.P.(MD)No.808 of 2024
Anchilal	... Petitioner in W.P.(MD)No.809 of 2024
Jeganathan	... Petitioner in W.P.(MD)No.810 of 2024
Nesamoni	... Petitioner in W.P.(MD)No.811 of 2024

Vs.

**1.The Additional Chief Secretary to the Government,
Revenue and Disaster Management Department,
St.George Fort,
Chennai.**

1/6



W.P(MD) Nos.805 to 811 of 2024

2.The District Collector,
Kanyakumari District at Nagercoil,
Nagercoil-1,
Kanyakumari District.

3.The Tahsildar,
Vilavancode Taluk,
Kuzhithurai,
Kanyakumari District.

... Respondents
in all Writ Petitions

COMMON PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the impugned order passed by the first respondent herein in G.O.(Ms)No.225, Revenue and Disaster Management Department, dated 30.05.2023 served by the third respondent on 10.11.2023 and quash the same as illegal.

For Petitioner : Mr.V.Meenakshi Sundaram

For Respondents : Mr.M.P.Senthil
Government Advocate
(in all W.Ps.) for R1 to R3

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Admittedly, the writ petitioners have encroached on a salai poromboke. Eviction orders were passed against them and their appeals



W.P(MD) Nos.805 to 811 of 2024

were also dismissed. The petitioners filed revision petition before the Government. Vide order dated 30.05.2023 in G.O.(Ms)No.255, Revenue and Disaster Management Department Land Disposal Wing, LD.6(2) Section, the revision was also dismissed. Paragraph Nos.5 & 6 read as follows-

“5. The revision petition filed by Thiru.S.Jaganathan and 7 others was examined in the light of the report of the District Collector, Kanyakumari and connected records and the following findings have been arrived at:-

i. The land in S.No.D9/74 with an extent of 0.20.36 Hectare of Kuzhithurai Town Village is a salai poramboke.

ii. This salai poramboke land encroachments are highly objectionable one.

iii. This salai poramboke land is required for Government for future use and extension of road.

iv. This encroached salai poramboke is causing hindrance to Public even emergency vehicle is also could not pass to neighbour patta land holders.

6. In view of the above findings, the Government have decided to reject the revision petition filed by Thiru.S.Jaganathan and 7 others under Section 10A(1)(c) of TNLEA, 1905 against the orders dated 06.11.2019 passed by the District Collector, Kanyakumari District as devoid of merits and issue orders accordingly.”

The petitioners are unable to dislodge the factual findings set out in the aforesaid GO.



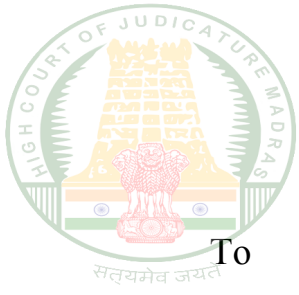
W.P(MD) Nos.805 to 811 of 2024

2. We do not find any ground to interfere. It is true that an order was made in W.P.(MD)No.12821 of 2017 directing the removal of the encroachment in T.S.No.D9/74. But we need to take note of the current reality. On account of formation of a bridge as well as the national highway, the original salai poromboke appears to have lost its original purpose. Probably, that encouraged the encroachers. Be that as it may, even though we have held that the writ petitioners do not have any right whatsoever and we have also dismissed the writ petitions filed by them against the order passed by the Government, it is open to the authorities not to enforce them if it does not affect public interest or the rights of any private individual.

3. The Writ Petitions are dismissed with the aforesaid observations. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S., J.) (R.P., J.)
02.06.2026

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



W.P(MD) Nos.805 to 811 of 2024

To

WEB COPY

- 1.The Additional Chief Secretary to the Government,
Revenue and Disaster Management Department,
St.George Fort,
Chennai.
- 2.The District Collector,
Kanyakumari District at Nagercoil,
Nagercoil-1,
Kanyakumari District.
- 3.The Tahsildar,
Vilavancode Taluk,
Kuzhithurai,
Kanyakumari District.



WEB COPY



W.P(MD) Nos.805 to 811 of 2024

G.R.SWAMINATHAN, J.
AND
R.POORNIMA, J.

rmi

W.P(MD) Nos.805 to 811 of 2024

02.06.2026