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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.02.2026**

CORAM:

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

W.P.(MD)No.3699 of 2026

P.Vellaiyammal

... Petitioner

Vs.

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office, Pudukkottai,
Pudukkottai District.

3.The Tahsildar,
Alangudi,
Pudukkottai District.

4.Mani

5.Vennila

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the fourth and fifth respondents in Survey No.34-13K to an extent of 0.02.0 Ares situated in Dakshinapuram Village, Alangudi Taluk, Pudukkottai District by considering the



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Petitioner's representation dated 26.12.2025 within a stipulated time period.

For Petitioner : Mr.G.Mathavan
For Respondents : Mr.P.Thilakkumar (R1 to R3)
Government Pleader

ORDER

(Order of the Court was made by **DR.G.JAYACHANDRAN, J.**)

Alleging that the private respondent has encroached upon the cart track in Survey No.34-13K to an extent of 0.02.0 Ares situated in Dakshinapuram Village, Alangudi Taluk, Pudukkottai District, the present writ petition is filed as a Public Interest Litigation.

2.The petitioner is the owner of the neighbouring land. However, he has filed the writ petition as Public Interest Litigation alleging the neighbour has encroached the cart track in the above mentioned property.

3.Status report filed by the Tahsildar, Alangudi reveals that the cart track is in the patta land of the private respondent and therefore, it cannot be termed as encroachment as alleged in the writ affidavit. For



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the sake of clarity, the status report filed by the Tahsildar, Alangudi is extracted below:

“3.I respectfully submit that, myself along with the Firka Surveyor, Revenue Inspector and the Village Administrative Officer, surveyed the land in Survey No.34-13K on 11.02.2026. It is seen that the lands in S.No.34-13K of Dakshinapuram Village is of a total extent of 0.02.0 ares stands in the name of the sons of one Ramasamy Udaiyar namely, Mani, Nalludaiyar and Veerappudaiyar in Patta No.98. However, in the Revenue records it is mentioned as 'Nilaviyal Pathai'. On inspection no encroachment as alleged in the writ affidavit was found in the said place ie., S.No.34-13K.

4.I respectfully submit that, cart tracks are formed in patta lands for the benefit of the public at large and necessary entries were made in the revenue records/plan, no one can claim exclusive right over the cart track merely on the ground that the portion of the cart track is the patta land.”

4.In view of the above fact, since it is not the public cart track, it cannot be termed as encroachment. As a result, the writ petition stands dismissed. There shall be no order as to costs.

[G.J., J.] & [K.K.R.K., J.]
23.02.2026

Index :Yes/No
Internet :Yes
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DR.G. JAYACHANDRAN, J.
AND
K.K. RAMAKRISHNAN, J.

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