

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20-07-2026

CORAM

WEB COPY

THE HON'BLE MR JUSTICE **C.V. KARTHIKEYAN**

AND

THE HON'BLE MR.JUSTICE **R.SAKTHIVEL**

W.P(MD) No. 9415 of 2023

and

W.M.P.(MD)Nos.12336 and 14186 of 2023

Abraham

..Petitioner(s)

Vs

1. The District Collector,
Collectorate, Thoothukudi,
Thoothukudi District.
2. The Assistant Director (Village Panchayat),
Collectorate, Thoothukudi,
Thoothukudi District.
3. The Revenue Divisional Officer,
RDO Office, Tiruchendur,
Thoothukudi District.
4. The Block Development Officer,
Alwarthirunagari Panchayat Union Office,
Irupu Thenthirupperai, Thoothukudi District.
5. The Tahsildar,
Taluk Office, Eral, Thoothukudi
6. The President,
Nallumavadi Village Panchayat Board,
Nallumavadi, Eral Taluk,
Thoothukudi District-628 207.
7. T.Ratinaraj

..Respondent(s)



(The 7th respondent was impleaded vide order of this Court, dated 20.07.2026)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 20.02.2023 and to direct the respondents to remove the illegal constructions/encroachments in Survey Nos.159/36 and 159/26 of Nalumavadi Village and Panchayat, Thoothukudi District in the interest of justice.

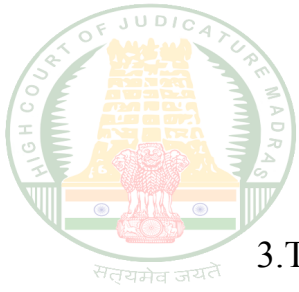
For Petitioner	:	Mr.Rajiv Rufus
For R1 to R6	:	Mr.M.P.Senthil
		Counsel for State of Tamil Nadu
For R7	:	Mr.K.Suresh Babu

ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

The Writ Petition had been filed in the nature of a Mandamus to consider the petitioner's representation dated 20.02.2023 and direct removal of illegal constructions/encroachments in S.Nos.159/36 and 159/26 of Nalumavadi Village and Panchayat, Thoothukudi District.

2.In the affidavit filed in support of this Writ Petition, the petitioner had raised a grievance that in S.Nos.159/39 and 159/26, which had been categorised as public pathway, a third party, T.Ratinaraj, had encroached and had started to construct a house. The petitioner had given representations to various authorities and since they had not taken effective action, he had filed the present Writ Petition.



WEB COPY

3.The petitioner had also filed W.M.P.(MD)No.12336 of 2023 to implead the said T.Ratinaraj, as a further respondent in the Writ Petition. Incidentally, T.Ratinaraj himself filed W.M.P.(MD)No.14186 of 2023 seeking to implead himself as a further respondent in the Writ Petition.

4.On the side of the respondent officials, a report from the Tahsildar, Eral Taluk in Thoothukudi District had been forwarded, wherein, it had been stated that on survey, the land in S.Nos.159/36 measuring 0.08.62 hectares has been categorised as Salai Poramboke Pathai/Road Poramboke and in that pathway, about 11 square metres, the said T.Ratinaraj has constructed a compound wall and had encroached into the pathway.

5.However, learned Counsel for the petitioner contended that the land in S.No.159/26 has also been encroached by the said T.Ratinaraj.

6.Learned Counsel for the proposed respondent T.Ratinaraj is also present.

7.Having heard all the Counsels, we direct the Tahsildar, Eral Taluk, who is the 5th respondent herein, to conduct survey in both S.Nos.159/36 and 159/26 of Nalumavadi Village and Panchayat at Thoothukudi District and if



encroachment is found, direct the 4th respondent/Block Development Officer, Alwarthirunagari Panchayat Union Office, Irupu Thenthirupperai, Thoothukudi District, to initiate appropriate action to remove the encroachment. The survey should be conducted within a period of three weeks from the date of receipt of a copy of this order and if encroachment is found, direction should be issued to the 4th respondent within a period of two weeks from the date of conclusion of the survey and thereafter, the Block Development Officer is directed to issue appropriate proceedings for removal of the encroachment within a period of two further weeks.

8.The Writ Petition stands disposed of. Both the W.M.P., stands allowed. Registry to carry out necessary amendments impleading the said T.Ratinaraj as a further respondent in the Writ Petition before issuing the order copy and also carry out necessary amendment in the cause title.

(C.V.K.,J.) (R.S.V.,J.)
20-07-2026

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

cmr



To

1. The District Collector
Collectorate, Thoothukudi,
Thoothukudi District.
2. The Assistant Director (Village Panchayat)
Collectorate, Thoothukudi, Thoothukudi
District
3. The Revenue Divisional Officer
RDO Office, Tiruchendur, Thoothukudi District
4. The Block Development Officer
Alwarthirunagari Panchayat Union Office,
Irupu Thenthirupperai, Thoothukudi District
5. The Tahsildar
Taluk Office, Eral, Thoothukudi.



WEB COPY

W.P(MD)No.9415 of 2



C.V. KARTHIKEYAN, J,
AND
R.SAKTHIVEL, J,

W.P(MD) No. 9415 of 2023

20-07-2026