

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29-07-2026

CORAM

WEB COPY

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

WP(MD) No. 21575 of 2026

and

W.M.P.(MD)No.16053 of 2026

G.Samraj

..Petitioner(s)

Vs

1. The District Collector
Tirunelveli District,
Tirunelveli.
2. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
3. The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.
4. The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to consider the representation dated 11.07.2026 and thereby remove the encroachment in S.F.No.56 situated at Araikulam Village, Palayamkottai Taluk, Tirunelveli District within a stipulated time as fixed by this Court.



WEB COPY



For Petitioner(s):

Mr,J. Sivaram

For Respondent(s):

Mr.S.I.Muthiah (R1 & R3)

Counsel for the State

Mr.P.Vetrivel (R2 & R4)

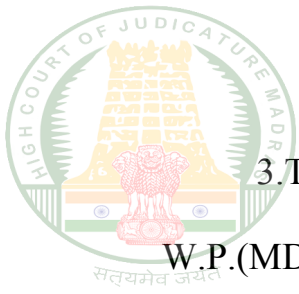
Government Advocate (Crl.side)

ORDER

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

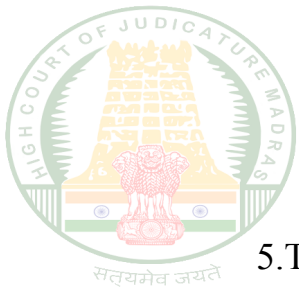
The writ petition had been filed in the nature of mandamus seeking direction against the first respondent to consider the representation dated 11.07.2026 and removing the encroachment in S.F.No.56 at Aaraikulam Village, Palayamkottai Taluk, Tirunelveli District.

2.This is the third writ petition filed by the petitioner. The first writ petition was W.P.(MD)No.1747 of 2026, which had been filed in the nature of certiorarified mandamus seeking records relating to a notice dated 05.01.2026 issued by the Tahsildar, Palayamkottai Taluk and to quash the same. The coordinate Division Bench of this Court had specifically found that the petitioner had put up a structure in the Government poromboke parai in S.F.No.56/44 and is not eligible for regularization of illegal occupation and with respect to allegations about discrimination, that the status report itself was self explanatory. The writ petition was dismissed by order dated 13.02.2026.



3. The writ petitioner thereafter, filed a second writ petition in W.P.(MD)No.19196 of 2026 again in the nature of a Certiorari seeking interference to an order passed by the third respondent/Tashildar, Palayamkottai dated 03.07.2026. This Court dismissed the said writ petition by order dated 16.07.2026 directing the District Collector to pass appropriate orders, if an appeal is filed under Section 10 of the Tamil Nadu Land Encroachment Act, 1905. In the documents filed along with the present writ petition, there is no evidence that the petitioner has filed any appeal under Section 10 of the Act. The representation dated 11.07.2026 was submitted seeking departmental action to be initiated against the Officials.

4. It is the contention of the learned Counsel for the petitioner that there are 21 unauthorised occupants in S.F.No.56/44 and he draws reference to the observation made by the Division Bench in order dated 13.02.2026 in W.P. (MD)No.1747 of 2026 that out of 21 encroachers, six were found ineligible and rest satisfied the parameters for grant of patta. Thereafter, the Division Bench had held that as far as the petitioner is concerned, who has put up structure on the Government Poramboke Parai is not eligible to seek for regularization. Since specific observation had earlier been made by the Division Bench that the petitioner was not eligible for regularization, we cannot revisit that part of the order.



WEB COPY

5.The learned Counsel for the petitioner states that only selectively regularisation had been granted and the petitioner had been discriminated. But reliance had been placed on the status report and it was stated that the writ petition deserves no merit for consideration. The petitioner cannot re-open the same issue by suppressing it in the present writ petition.

6.In the report filed by the respondent, it had been stated that leaving the house of the petitioner constructed in an extent of 800 sq.ft., the encroachment made by the petitioner to an extent of 23 cents of land, had been removed on 08.07.2026.

7.We find no merits in the writ petition. The writ petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

(C.V.K.,J.) (R.S.V.,J.)
29-07-2026

Index: Yes
Speaking
Neutral Citation: Yes

ta



WEB COPY

WP(MD) No. 21575 of 2

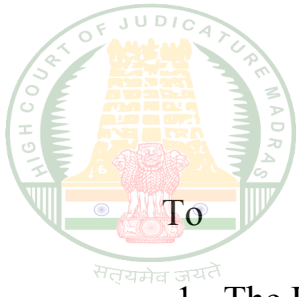


**C.V.KARTHIKEYAN, J.
AND
R.SAKTHIVEL, J.**

ta

WP(MD) No. 21575 of 2026

29-07-2026



To

1. The District Collector
Tirunelveli District,
Tirunelveli.
2. The Superintendent of Police,
Tirunelveli District,
Tirunelveli
3. The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District
4. The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District