

W.P.(MD).No.21231 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.07.2026

CORAM

**THE HONOURABLE MR.JUSTICE C.V. KARTHIKEYAN
AND
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL**

**W.P(MD) No.21231 of 2026
and
W.M.P(MD) No.15732 of 2026**

Ayanan Raja

..... Petitioner

Vs.

- 1.The District Collector,
Madurai District at Madurai.
- 2.The Superintendent of Police,,
Madurai District,
At Madurai.
- 3.The Tahsildar,,
Madurai East Taluk,
Madurai District.
- 4.The Revenue Inspector,
Appan Thirupathi Firka,
Madurai East Taluk,
Madurai District.
- 5.The Village Administrative Officer,
Porusupatti Village, Madurai East Taluk,
Madurai District.



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6.The Inspector of Police,
Othakadai Police Station,
Madurai District.

..... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the Respondents from demolishing the petitioner's house portion and compound wall situated at Door No. 2/105, Thethampatti, Patta No.151, comprised in S.No.45/8A2, Porusupatti Village, Madurai East Taluk, Madurai District, pending disposal of the Appeal filed before the 1st Respondent u/s 10 of the Tamil Nadu Land Encroachment Act, 1905 in Appeal No. E-4790282/2026/J3 dated 17.07.2026 filed against the eviction notice of the Respondents 3, 4 and 5 dated 29.06.2026 u/s 6 of the Tamil Nadu Land Encroachment Act, 1905 in respect of the Panchayat Road property in S.No.45/8B, 45/9, Porusupatti Village, Madurai East Taluk, Madurai District.

For Petitioner : Mr.P.Sonu

For R1, R3 to R5 : Mr.M.P.Senthil
Counsel for State of TN

For R2 and R6 : Mr.P.Vetrivel,
Government Advocate (Crl.Side)



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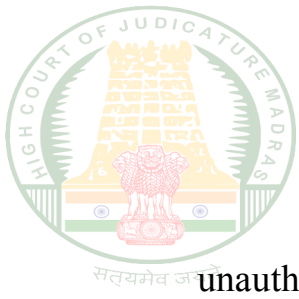
ORDER

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[Order of the Court was made by C.V. KARTHIKEYAN, J.]

This Writ Petition has been filed in the nature of a Mandamus seeking a direction restraining the respondents from demolishing the house portion of the petitioner and also the compound wall situated at Door No. 2/105, Thethampatti, Patta No.151, comprised in S.No.45/8A2, Porusupatti Village, Madurai East Taluk, Madurai District. The petitioner has filed an appeal under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 on 17.07.2026 before the first respondent/District Collector, Madurai District, challenging an order dated 29.06.2026 passed under Section 6 of the said Act.

2. It is claimed that, pending the appeal, this Court should grant a stay. However, Section 10(B) of the said Act stipulates a provision for the District Collector himself to consider whether a stay should be granted. It should also be noted that the proceedings by the respondents had been initiated consequent to the directions issued earlier by this Court in W.P. (MD) No.4693 of 2021, dated 08.03.2021. It is now more than five years since the direction had been issued to the respondents to demolish



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unauthorised constructions abutting the road. The petitioner's construction is admittedly abutting the road.

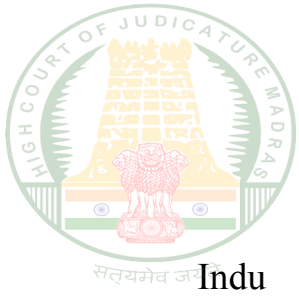
3. It is contended on behalf of the respondents that steps have been taken to put that order into effect and that the petitioner has resisted such action on the ground that he had filed an appeal before the first respondent.

4. The petitioner can very well seek the necessary relief before the first respondent. We are not inclined to interfere with the proceedings either of the District Collector or of any other authority, while placing an obligation on the District Collector to proceed in the manner known to law while examining the appeal filed under Section 10 of the said Act.

5. In the result, this Writ Petition stands dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

[C.V.K., J.] & [R.S.V., J.]
27.07.2026

NCC : Yes / No
Index : Yes / No

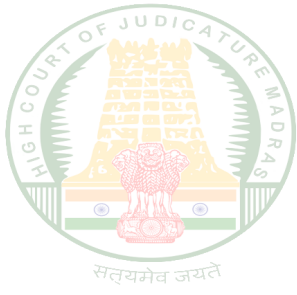


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