



W.P(MD)No.22908 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2026

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI
and
THE HONOURABLE MR.JUSTICE N.DILIP KUMAR**

W.P(MD)No.22908 of 2026

S.Murugesan

... Petitioner

VS.

1. The Tahsildar,
Paramakudi Taluk,
Paramakudi,
Ramanathapuram District.

2. Vijayakumar

3. Rajangam

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st Respondent to



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remove the encroachments made by the Respondents No.2 and 3 the land comprised in Survey No.355/4 and 355/16 situated at Marichikatti Village, Melparthibanur, Paramakudi, Ramanathapuram District based on the Representation of the Petitioner dated 09.03.2026 in the light of, the Proceedings of the dated 16.02.2026.

For Petitioner : Mr. B.Prahalad Ravi

For Respondents : Mr.M.Mahaboob Athiff (R1)
Special Government Pleader

ORDER

(Order of the Court was made by M.DHANDAPANI, J.)

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the first respondent to remove the encroachments made by the respondents 2 and 3 in respect of the land comprised in Survey No.355/4 and 355/16 situated at Marichikatti Village, Melparthibanur, Paramakudi, Ramanathapuram District, based on the representation of the petitioner dated 09.03.2026 in the light of the proceedings, dated 16.02.2026.



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2. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself. Since no adverse order is going to be passed, notice to the respondents 2 and 3 is dispensed with.

3. The petitioner is a resident of Marichikatti Village, Melparthibanur, Paramakudi Taluk, Ramanathapuram District. It is the case of the petitioner that he is using the Sarkar Poramboke land comprised in Survey No. 355/16 as a pathway to reach his land and that the same has been obstructed by the fourth respondent by putting up a permanent compound wall. In this regard, the petitioner submitted a representation dated 09.03.2026. Hence, the present writ petition has been filed seeking a direction to the respondents to consider the said representation and pass appropriate orders.

4. Per contra, the learned Special Government Pleader appearing for the first respondent submitted that the second respondent claimed that his father had been allotted land in Survey Nos.355/10 and 355/21 under the Free House Site Scheme by way of Assignment dated 30.04.2012. However, the said assignment was subsequently cancelled. It is further submitted that, after the



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death of the father of the second respondent in the year 2013, an order dated 05.02.2019 was passed for removal of the encroachment made by the second respondent. The said order was challenged before this Court in W.P.(MD) No. 4023 of 2019 and the said writ petition was disposed of by order dated 16.04.2025. Pursuant thereto, further proceedings were initiated and an order dated 23.12.2025 came to be passed. The said order was challenged before this Court in W.P.(MD) No.446 of 2026 and the same was disposed of by order dated 08.01.2026. Thereafter, the second respondent has preferred an appeal before the District Collector, the competent appellate authority, under the provisions of the Tamil Nadu Land Encroachment Act. The said appeal is stated to be pending.

5. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing on behalf of the first respondent.

6. In view of the pendency of the appeal before the competent appellate authority and without going into the merits of the matter, there shall be a direction to the District Collector to consider and dispose of the appeal filed by the second respondent, on merits and in accordance with law, after affording due



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opportunity of hearing to all the concerned parties, including the petitioner and the third respondent. The above exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition stands disposed of. No costs.

[M.D.I.,J.] & [N.D.K.,J.]
13.08.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN

To

1.The District Collector,
Ramanathapuram District.

2.The Tahsildar,
Paramakudi Taluk,
Paramakudi,
Ramanathapuram District.



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