



W.P(MD)No.23000 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2026

CORAM:

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

**W.P(MD)No.23000 of 2026
and
W.M.P(MD)Nos.17129 & 17131 of 2026**

1.Arumuganainar
2.V.Deivanai
3.R.Ganapathy Subramanian
4.Berchmans Irudhayam

... Petitioners

vs.

1.The District Collector (Monitoring Committee),
O/o District Collectorate,
Tirunelveli District,
Tirunelveli.

2.The District Revenue Officer,
Tirunelveli District,
Tirunelveli.

3.The Commissioner,
Tirunelveli Corporation,
SN High Road,
Tirunelveli District.



W.P(MD)No.23000 of 2026

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4.The Revenue Divisional Officer,
O/o Revenue Divisional Office,
Tirunelveli District, Tirunelveli.

5.The Tahsildar,
O/o. Palayam Kottai Taluk,
District Collectorate Campus,
Tirunelveli District.

6.The Tamil Nadu Housing Board,
Represented by its Executive Engineer,
Anbu Nagar, Maharaja Nagar Post,
Palayamkottai, Tirunelveli District.

7.Babu

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus forbearing the respondent Nos.1 to 5 from permitting and the respondent Nos.6 and 7 from constructing any wall in the public pathway comprised in S.Nos.728/1 and 729/3 situate at Plot No.6, Karpagavinayagar Street, Kulavanigarpuram, Melapalayam Ward, Tirunelveli District classified as road in the layout approved by the Director, Town and Country Planning Department, Chennai vide Ma.Va./Na.U.E.No.1223 of 92 dated 18.09.1992 within the period stipulated by this Court.

For Petitioners : Mr.P.Mohammed Suhail

For Respondents : Mr.M.Mahaboob Athiff (R1, R2, R4 & R5)
Special Government Pleader

: Mr.S.Velmurugan (R6)
Standing Counsel



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W.P(MD)No.23000 of 2026

ORDER

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

W.M.P(MD)No.17129 of 2026 filed seeking permission to file a single Writ Petition is ordered.

2.This Writ Petition has been filed seeking issuance of a Writ of Mandamus forbearing the respondents 1 to 5 from permitting the respondents 6 and 7 to construct any wall in the public pathway comprised in Survey Nos.728/1 and 729/3, situated at Plot No.6, Karpagavinayagar Street, Kulavanigarpuram, Melapalayam Ward, Tirunelveli District, which is classified as a road in the layout approved by the Director of Town and Country Planning, Chennai, vide Ma.Va./Na.U.E.No.1223 of 92, dated 18.09.1992.

3.Since no adverse order is proposed to be passed against the seventh respondent, notice to the seventh respondent is dispensed with.

3/7



W.P(MD)No.23000 of 2026

WEB COPY

4.The learned counsel appearing for the petitioners would submit that the petitioners have already submitted a representation before the authorities seeking appropriate action with regard to the alleged encroachment in the public pathway. He would further submit that, though the authority competent to take action for removal of the encroachment is the Corporation, only a copy of the representation was marked to the Corporation. Therefore, he would submit that this Court may permit the petitioners to submit a representation along with a copy of this order before the third respondent and consequently direct the third respondent to consider and dispose of the same within a time frame to be stipulated by this Court.

5.The learned Special Government Pleader appearing for respondents 1 to 5 would submit that, if the petitioners submit a representation along with a copy of this order before the third respondent, the same would be considered and appropriate orders would be passed, on merits and in accordance with law, after affording an opportunity of hearing



W.P(MD)No.23000 of 2026

to the petitioners and all other necessary and interested parties.

6.In view of the above submissions, without expressing any opinion on the merits of the case, we permit the petitioners to submit a representation along with a copy of this order before the third respondent within a period of two weeks from the date of receipt of a copy of this order.

7.On receipt of such representation, the third respondent shall consider the same and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioners, the seventh respondent and all other necessary and interested parties, within a period of twelve weeks thereafter.

8.The Writ Petition is accordingly disposed of with the above directions. There shall be no order as to costs. Consequently, connected W.M.P(MD)No.17131 of 2026 is closed.

[M.D.I.,J.] & [N.D.K.,J.]
11.08.2026



W.P(MD)No.23000 of 2026

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NCCY : Yes / No

Index : Yes / No

To

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WEB COPY



W.P(MD)No.23000 of 2026

M.DHANDAPANI, J.
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W.P(MD)No.23000 of 2026

11.08.2026

7/7