



W.P(MD)No.24217 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.08.2026

CORAM:

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

W.P(MD)No.24217 of 2026

K.Murugapandian

... Petitioner

VS.

1. The District Collector,
District Collectorate,
Dindigul District.

2. The Revenue Divisional Officer,
Kodaikanal Revenue Division,
Dindigul District.

3. The Tahsildar,
Taluk Office,
Kodaikanal Taluk,
Dindigul District.

4. The Block Development Officer,
Kamanur Panchayat,
Kodaikanal Taluk,
Dindigul District.

5. The Village Administrative Officer,
Kamanur Revenue Village,

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Kodaikanal Taluk,
Dindigul District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to remove the illegal encroachments made upon the Government public pathways, cart tracks, and roads in Survey Nos. 338/2, 339, 341/1, and 341/2 situated at Kamanur Village, Kodaikanal Taluk, Dindigul District, based on petitioners representation dated 17.09.2025 and consequential emergent memo issued by the by the 1st Respondent in Na.Ka.No. 2315609/2024/d2 dated 19.11.2025.

For Petitioner : Mr. I. Romeo Roy Alfred

For Respondents : Mr.M.Mahaboob Athiff, SGP (R1 to R5)

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 respondents to remove the illegal encroachments made upon the Government public pathways, cart tracks, and roads in Survey Nos. 338/2, 339, 341/1, and 341/2 situated at Kamanur Village, Kodaikanal Taluk, Dindigul District, based on the petitioner's representation dated 17.09.2025 and



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consequential emergent memo issued by the by the 1st Respondent in Na.Ka.No. 2315609/2024/d2 dated 19.11.2025.

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. The learned counsel appearing for the petitioner would submit that the petitioner is the owner of the land comprised in Survey Nos.260, 259/1B, 259/1C,259/2A, 284/1A, 284/1B, 284/2A1, 284/2A2, 285/1A2, 285/1B2, 259/2B, 285/2, 261/1, and 285/1C2 situated at Kamanur Village, Kodaikanal Taluk, Dindigul District. According to the petitioner, the said lands can be accessed only through a public pathway comprised in Survey Nos.338/2, 339, 341/1, and 341/2. However, the said pathway has been encroached upon by certain residents, thereby preventing the petitioner from using the pathway to access his property. Hence, the present writ petition has been filed seeking a writ of mandamus directing the respondents to remove the alleged illegal encroachments from the said public pathway.



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4. Per contra, the learned Special Government Pleader appearing for the respondents would submit that the alleged encroachers have not been impleaded as parties to the writ petition and that, without impleading the alleged encroachers as parties, the present writ petition is not maintainable. It is further submitted that, if at all the petitioner has any grievance with regard to the alleged encroachment upon the public pathway, he has to approach the competent Court by way of appropriate proceedings. Accordingly, the learned Special Government Pleader appearing for the respondents would pray for dismissal of the writ petition. Accordingly, the learned Special Government Pleader appearing for the respondents would pray for dismissal of the writ petition.

5. The grievance of the petitioner is with regard to the alleged encroachment upon the public pathway, which, according to the petitioner, prevents him from accessing his property. However, the alleged encroachers have not been impleaded as parties to the present writ petition. In the absence of the alleged encroachers before this Court and in view of the disputed nature of the claim, this Court is not inclined to issue a positive direction for removal of the



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alleged encroachments in exercise of its jurisdiction under Article 226 of the Constitution of India.

6. Accordingly, the writ petition stands dismissed. No costs.

[M.D.I.,J.] & [N.D.K.,J.]
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NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN



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