



W.P.(MD)No.21892 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD)No.21892 of 2024
and
W.M.P.(MD)No.18543 of 2024**

Kamal Mydeen, S/o.Nawas Lebbai

... Petitioner

-VS-

- 1.The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli.
- 2.The Assistant Commissioner,
Tirunelveli Town Zone,
Tirunelveli City Municipal Corporation,
Tirunelveli.
- 3.The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli Town.
- 4.C.Ganesan
- 5.G.Senthilkumar

... Respondents



W.P.(MD)No.21892 of 2024

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 to take action against unauthorized construction made by the respondents 4 and 5 in T.S.No.2503, Thadi Veerayyan Kovil Street, Tirunelveli Town and to remove the same based on the petitioner's representation dated 27.03.2023.

For Petitioner	:	Mr.T.Selvan
For R1 and R2	:	Mr.S.P.Maharajan Special Government Pleader
For R3	:	Mr.M.Vaikkam Karunanithi Government Advocate (Criminal side)

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Prayer in the Writ Petition reads as follows:-

"To issue a Writ of Mandamus directing the respondents 1 and 2 to take action against unauthorized construction made by the respondents 4 and 5 in T.S.No.2503, Thadi Veerayyan Kovil Street, Tirunelveli Town and to remove the same based on the petitioner's representation dated 27.03.2023."

2. A perusal of the revenue records shows that the land in question has been classified as "Ryotwari Land" and in the remarks column, it is stated that



W.P.(MD)No.21892 of 2024

it is 63 Nayanmar Chatram. Since the land has been classified as "Ryotwari Land", the eviction or removal of encroachment cannot be done by the Government.

3. Leaving it open to the petitioner to approach the appropriate Civil Court, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : No
Index : No
smn2

[R.S.M., J.] [L.V.G., J.]
13.09.2024

To:-

- 1.The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli.
- 2.The Assistant Commissioner,
Tirunelveli Town Zone,
Tirunelveli City Municipal Corporation,
Tirunelveli.
- 3.The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli Town.



WEB COPY



W.P.(MD)No.21892 of 2024

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

smn2

W.P.(MD)No.21892 of 2024
and
W.M.P.(MD)No.18543 of 2024

13.09.2024