



W.P.No.12818 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2025

CORAM:

THE HONOURABLE MRS. JUSTICE N.MALA

W.P.No.12818 of 2025

D.Muthuvel

...Petitioner

-Vs-

1.The District Collector,
Office of the Collectorate,
Villupuram District.

2.The President,
Marakanam Panchayat Union,
Marakanam,
Villupuram District.

3.The Executive Officer,
Marakanam Panchayat Union,
Marakanam,
Villupuram District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, forbearing the respondents, their officials, servants from in any manner from laying road in the petitioner's patta land measuring to an extent of 0.58 cents (25288 sq.ft.) comprised in Old S.No.383/12, New S.No.461/8, Banglowmedu Road, Marakanam South Village, Marakanam Panchayat Union, Villupuram District and pass such further orders.



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For Petitioner : Mr.D.Kumaralingam
For R1 : Mrs.R.L.Karthika,
Government Advocate
For R2 & R3 : Mr.C.Selvaraj,
Additional Government Pleader

ORDER

With the consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for issuance of a Writ of Mandamus, forbearing the respondents, their officials, servants from in any manner from laying road in the petitioner's patta land measuring to an extent of 0.58 cents (25288 sq.ft.,) comprised in Old S.No.383/12, New S.No.461/8, Banglowmedu Road, Marakanam South Village, Marakanam Panchayat Union, Villupuram District.

3. The petitioner is the absolute owner of a property measuring 0.58 cents (25,288 sq. ft.) situated at Banglowmedu Road, Marakanam South Village, Villupuram District. He acquired the property through a registered Partition Deed dated 12.11.2021, recorded as Document No. 3659 of 2021 at the SRO, Marakanam. The petitioner is operating a marriage hall named “GDS Kalyana Mandapam” in the said premises and uses the remaining land

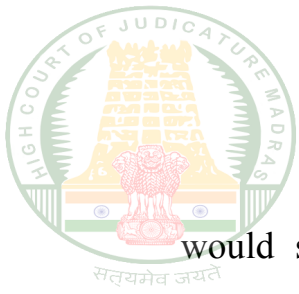


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for parking and other purposes. The rear side of the petitioner's land abuts another private property belonging to one Jayaraman, which has access from Pondy Road. That property has since been divided into plots and sold to various persons, and the access pathway from Pondy Road is allegedly encroached by third parties. On 15.11.2024, the second and third respondents unloaded blue metal on the petitioner's patta land to lay a road, prompting the petitioner to raise an objection and send a representation, after which the work was temporarily stopped. However, in March 2025, the respondents again attempted to proceed with road-laying work on his land, forcing the petitioner to send another detailed representation, which was acknowledged but not acted upon.

4. Learned counsel appearing for the Petitioner submits that the respondents are unlawfully attempting to lay a road on his patta land without his consent and without following due process. Despite his timely objections and written representations, no enquiry has been conducted, and the threat of coercive action continues. He asserts that such actions are a clear violation of his property rights and amount to illegal encroachment. Hence, the present writ petition is filed.

5. Learned Government Advocate appearing for the 1st respondent



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would submit that the representation of the petitioner dated 21.02.2024 would be considered on merits, in accordance with law within a time frame stipulated by this Court.

6. Heard both sides and perused the materials available on record.

7. Without going into the merits of the case, the 2nd and 3rd respondents are directed to consider the representation of the petitioner dated 21.02.2024 after conducting a detailed enquiry by giving due notice to the petitioner, affording an opportunity of personal hearing, taking into consideration all the relevant documents submitted by the petitioner in regard to the subject matter property and pass appropriate orders on merits, in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

In the result, the writ petition stands disposed of with the above observations and direction. No costs.

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cda/dh

Index : Yes/No

Speaking/Non Speaking order



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Marakanam,
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N.MALA, J.



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