



WEB COPY



W.P.No.18092 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2025

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**W.P.No.18092 of 2021
and
W.M.P.No.19323 of 2021**

Dr.N.Maragatham,
W/o Srinivasan

... Petitioner

Vs.

1. The Director,
Town and Country Planning,
Market Road, Koyambedu,
Chennai- 600 107.
2. The District Collector,
O/o District Collector,
Kallakurichi Post & District.
3. The Assistant Director of Town
& Country Planning,
O/o District Town & Country Planning,
Kallakurichi Post & District.
4. The Superintendent of Police,
O/o the Superintendent of Police,
Kallakurichi Post & District.
5. The Revenue Divisional Officer,
O/o The Revenue Divisional Officer,
Kallakurichi Post & District.
6. The Tahsildar,
Chinnasalem Taluk Office,
Chinnasalem Post & Taluk,
Kallakurichi District.



W.P.No.18092 of 2021

7. The Executive Officer,
Panchayat Union Office,
Chinnasalem Post & Taluk,
Kallakurichi District.

8. The Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District.

9. Mahalakshmi,
C/o Rajavel.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondent Nos.1 to 3 to take action against the 9th respondent/neighbour encroached and put up construction of building illegally in the petitioner's land of 129 sq.ft. in Survey No.361/6 and 361/11 out of 987 sq.ft. (presently the Survey Nos. as 361/7 to an extent of 0.00.30 sq.mt., 361/11A2 to an extent of 0.02.79 sq.mt. and Survey No.361/20 to an extent of 0.00.40 sqft., Chinnasalem Village, Kallakurichi District in document No.223 of 2003 on the file of Sub Registrar Office, Chinnasalem based on the report of Tahsildar dated 12.07.2021 addressed to Revenue Divisional Officer and remove the same.

For Petitioner : Mr.V.Prabhakaran

For Respondents : Mr.T.Arunkumar,
Addl.Government Pleader for R1 to R8
Mrs. Kanimozhimathi.P. for R9



W.P.No.18092 of 2021

ORDER

S.M.SUBRAMANIAM,J.

The Writ of Mandamus has been instituted to direct the respondent Nos.1 to 3 to take action against the 9th respondent/neighbour encroached and put up construction of building illegally in the petitioner's land of 129 sq.ft. in Survey No.361/6 and 361/11 out of 987 sq.ft. (presently the Survey Nos. as 361/7 to an extent of 0.00.30 sq.mt., 361/11A2 to an extent of 0.02.79 sq.mt. and Survey No.361/20 to an extent of 0.00.40 sqft., Chinnasalem Village, Kallakurichi District in document No.223 of 2003 on the file of Sub Registrar Office, Chinnasalem based on the report of Tahsildar dated 12.07.2021 addressed to Revenue Divisional Officer and remove the same.

2. Learned counsel for the 9th respondent would submit that Civil Suits between the parties are pending in O.S.No.115 of 2021 and O.S.No.143 of 2022 on the file of the Additional District Munsif Court at Kallakurichi, which was transferred to the District Munsif cum Judicial Magistrate, Chinnasalem, and renumbered as O.S.No.73 of 2025 and O.S.No.111 of 2025.

3. Learned Additional . Government Pleader would submit that the subject land, which was classified as Grama Natham, was assigned by



W.P.No.18092 of 2021

the Revenue authorities for construction of residential houses and patta also has been granted.

WEB COPY

4. It is a private dispute which exists between the writ petitioner and the 9th respondent. That being so, the writ petition is not at all maintainable. That apart, the suits have already been instituted and the same is pending. The parties at liberty to work out their remedy before the competent civil Court. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (C.K.,J.)
04.12.2025

vsi
Index : Yes
Speaking order : Yes



W.P.No.18092 of 2021

To

1. The Director,
Town and Country Planning,
Market Road, Koyambedu,
Chennai- 600 107.
2. The District Collector,
O/o District Collector,
Kallakurichi Post & District.
3. The Assistant Director of Town
& Country Planning,
O/o District Town & Country Planning,
Kallakurichi Post & District.
4. The Superintendent of Police,
O/o the Superintendent of Police,
Kallakurichi Post & District.
5. The Revenue Divisional Officer,
O/o The Revenue Divisional Officer,
Kallakurichi Post & District.
6. The Tahsildar,
Chinnasalem Taluk Office,
Chinnasalem Post & Taluk,
Kallakurichi District.
7. The Executive Officer,
Panchayat Union Office,
Chinnasalem Post & Taluk,
Kallakurichi District.
8. The Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District.



WEB COPY



W.P.No.18092 of 2021

S.M. SUBRAMANIAM, J.
and
C.KUMARAPPAN, J.

vsi

W.P.No.18092 of 2021

04.12.2025