



W.P.No.48306 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

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Kaliyullah

... Petitioner

-VS-

- 1.State Rep. by
The Secretary to Government,
Highways Department,
Secretariat, Chennai – 600 009.
- 2.The Principal Director,
Highways Department,
Sarthar Patel Road,
Guindy, Chennai – 600 032.
- 3.The District Collector,
Kallakurichi District,
Kallakurichi.
- 4.The District Revenue Officer,
Kallakurichi,
Kallakurichi District.
- 5.The Revenue Divisional Officer,
Thirukovilur,
Kallakurichi District.
- 6.The Tahsildar,
Thirukovilur,
Kallakurichi District.



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7.The Block Development Officer,
Thirukovilur,
Kallakurichi District.

8.The Zonal Engineer,
Highways Department,
Kallakurichi,
Kallakurichi District.

9.The Assistant Divisional Engineer,
Highways Department,
Thirukovilur,
Kallakurichi District.

10.The Village President,
Ja. Sithamur Village,
Koovanur Post,
Kallakurichi Taluk,
Kallakurichi District.

11.E.Vignesh

12.Vasantham K.Veluchamy

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 6 to remove the encroachment made by the respondents 7 to 12 to construct the shelter in the petitioner's patta land in Survey No.2/1A by encroaching to an extent of 26 Ares on the Eastern side of the petitioner's property to proceedings from Thiyagadurgam to Manalurpet State Highways and obstructing the petitioner to enter into his patta land situated at Ja.Sithamur Village, Thirukovilur Taluk, Kallakurichi District within the stipulated period fixed by this Court.



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For Petitioner : Ms.K.Anusuya

For Respondents : Mr.A.Selvendran,
Spl.Govt.Pleader for R1 to R6, R8 and R9

Mr.U.M.Ravichandran,
Spl. Govt.Pleader for R7 and R10

ORDER

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

The Writ of Mandamus has been instituted to direct the respondents 1 to 6 to remove the encroachments made by the respondents 7 to 12 to construct the shelter in the petitioner's patta land in Survey No.2/1A by encroaching to an extent of 26 Ares on the Eastern side of the petitioner's property proceeding from Thiyagadurgam to Manalurpet State Highways and obstructing the petitioner to enter into his patta land situated at Ja.Sithamur Village, Thirukovilur Taluk, Kallakurichi District within the stipulated period fixed by this Court.

2. Mr.A.Selvendran, learned Special Government Pleader appearing on behalf of the respondents relying on the written instruction given by the Assistant Divisional Engineer dated 17.12.2025 would submit that the Authorities on receipt of complaint conducted a survey in respect of the



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subject land and found that there is no encroachment. However, a bus stop has been constructed in the Highways property and not by encroaching the private property. The Authorities have not encroached upon any such patta land near the Highways. Therefore, the Writ Petition is misconceived.

3. The learned counsel for the petitioner would submit that the Authorities are causing obstruction to the patta land.

4. The said contention is untenable in view of the fact that the photographs would show that the petitioner possess vast extent of land and the bus stop is constructed in the Highways property for the benefit of the public. That apart, the Authorities conducted survey and found that there is no encroachment. That being so, the Writ Petition is misconceived and the same is **dismissed**. No costs.

(S.M.S,J.) (C.K,J.)
17.12.2025

Index: Yes / No
Internet: Yes / No
dsa



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To:

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10.The Village President,
Ja. Sithamur Village,
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