

W.P.(MD)No.2992 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.2992 of 2025

P.Chandran

... Petitioner

Vs.

1.The District Collector/Monitoring Committee
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

3.The Panchayat President,
Vaniyangudi Panchayat,
Sivagangai Taluk,
Sivagangai District.

4.A.Athivigneshwaran @ Appu

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1, 2 and 3 to remove the encroachments made by the 4th respondent in Public Pathway in the Government



W.P.(MD)No.2992 of 2025

approved Plots in Survey No.198/3 of Annamalai Nagar, Melavaniyangudi, Sivagangai Taluk, Sivagangai District.

For Petitioner :M/s.S.P.Vijay Nivas
For R1 to R3 :Mr.S.P.Maharajan,
Special Government Pleader

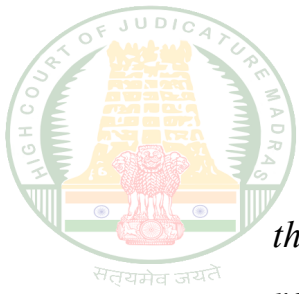
ORDER

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

The relief sought for in the writ petition is to direct the respondents 1 and 2 to remove the encroachment.

2.The Tahsildar, Sivagangai, conducted an survey and filed a report would show the following facts:

“5.It is respectfully submitted that with help of Firka Surveyor the portion of lands Survey No.198/3 of Annamalai Nagar, Melavaniyangudi, Sivagangai Taluk, Sivagangai District which is claimed to be pathway by the writ petitioner adjacent to his plot in Survey No.198/3A1C was identified and the said portion of land connect Ilayangudi main road. It is respectfully submitted that during the said survey no permanent structure in teh said lands except 5 feet width x 31 feet length structure on the compound wall of 4th respondent and on enquiry the fourth respondent herein who was present during the inspection would explain he had purchased



WEB COPY



W.P.(MD)No.2992 of 2025

the said lands from one Nallathambi who formed the layout. It is respectfully submitted that on verification of revenue records lands in question were classified as Ryot Punjai and he said lands were never earmarked as Pathway. Even though it is claimed by the writ petitioner that the portion of lands in question was used as pathway, it was not gifted to the Government till date by the person who formed the layout. As on the date the portion of lands claimed to be pathway and occupied by the fourth respondent herein was classified as private Ryot Punjai lands. I hereby annexe the revenue records relating to the lands in question for kind perusal of this Hon'ble Court."

3.In view of the said finding, the petitioner is at liberty to approach the civil Court, if as if his rights are infrinched.

4.Granted such liberty, this Writ Petition stands disposed of. No costs.

(S.M.S., J.) & (A.D.M.C., J.)
26.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Ns



WEB COPY



W.P.(MD)No.2992 of 2025

S.M.SUBRAMANIAM, J.

AND

DR.A.D.MARIA CLETE, J.

Ns

To

- 1.The Principal Secretary,
Hindu Religious and Charitable
Endowments Department, (HR &CE)
State of Tamil Nadu,
Chennai-600 009.
- 2.The Commissioner,
Hindu Religious and Charitable
Endowments Department, (HR & CE)
State of Tamil Nadu,
Nungampakkam,
Chennai-600 034.
- 3.The District Collector,
Tirunelveli District,
Tirunelveli.
- 4.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department, (HR & CE)
Palayamkottai,
Tirunelveli District.

W.P.(MD)No.2992 of 2025

26.06.2025