



W.P.(MD)No.10139 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2025

CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.10139 of 2025

and

W.M.P.(MD)No.7558 of 2025

Anguraj

: Petitioner

Vs.

1.The District Collector,
Collectorate,
Tenkasi District.

2.The Revenue Divisional Officer,
Sangarankovil Taluk,
Tenkasi District.

3.The Tahsildar,
Taluk Office,
Sivagiri Taluk,
Tenkasi District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to take appropriate steps to rectify the classification and issue patta to the petitioner's house situate in S.F.No.1537/7 of Naranapuram



W.P.(MD)No.10139 of 2025

Part-1 Village, Sivagiri Taluk, Tenkasi District in the light of the third respondent's proceedings in SVGREV/1579/2023-B2 dated 07.02.2025 within the time stipulated by this Court.

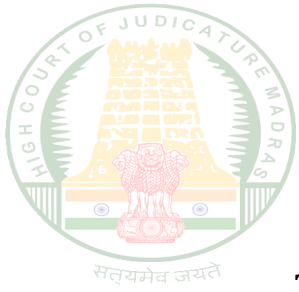
For Petitioner : Mr.R.Paranjothi
for M/s.KBS Law Office

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

Heard Mr.R.Paranjothi, learned Counsel for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader appearing for the respondents and Mr.R.J.Karthick, learned Counsel appearing for the writ petitioner in W.P.(MD)No.21831 of 2022 and 4281 of 2024, though the said writ petitioner therein is not a party in the present writ petition.

2.According to the learned Counsel for the petitioner, the petitioner, pursuant to the orders passed by the Hon'ble Division Bench dated 28.02.2024 in W.P.(MD)Nos.25831 of 2022 & 4281 of 2024, has been found to be not an encroacher, excepting for a portion of 50 sq.mt. According to the writ petitioner, the said shop which is found to be an encroachment has already been removed by the petitioner. Therefore, the petitioner is entitled to patta as prayed for and he therefore, seeks for suitable direction.



W.P.(MD)No.10139 of 2025

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3.Per contra, Mr.R.J.Karthick, learned Counsel for the writ petitioner before the Hon'ble Division Bench submits that the petitioner has only removed a portion of the encroached part and not the entire encroachment.

4.Be that as it may, the first respondent is now enquiring the matter and proceedings are pending before the first respondent. Therefore, it would suffice to direct the first respondent to conduct enquiry after affording opportunity to the petitioner as well as writ petitioner in W.P.(MD)Nos.25831 of 2022 & 4281 of 2024 and any other interested parties, considering the fact that the disputed survey number is alleged to be pathway. The first respondent shall pass orders on merits and in accordance with law within a period of twelve [12] weeks from the date of receipt of a copy of this order. It is made clear that the first respondent shall take into account the Tahsildar's report and the Revenue Inspector's report, before passing final orders. The parties shall maintain *status quo*, till final decision is taken by the District Collector.



W.P.(MD)No.10139 of 2025

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5. Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

16.04.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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W.P.(MD)No.10139 of 2025

To

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W.P.(MD)No.10139 of 2025

P.B.BALAJI., J.

MR

W.P.(MD)No.10139 of 2025

16.04.2025