



W.P.(MD).No.2585 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

W.P.(MD).No.2585 of 2019
and
W.M.P.(MD).No.1975 of 2019

S.Selvaraj

... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Tahsildar,
Boodhalur Taluk,
Thanjavur District.

3.Jothi Baskar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the 1st and 2nd respondents to remove the encroachment made by the 3rd respondent in the public pathway situated in Survey No.167-42, Chellappan Pettai Village, Bhoodhalur Taluk, Thanjavur District, by considering the petitioner representation dated 31.12.2018.

For Petitioner : Mr.R.Maheswaran

For R-1 & R-2 : Mr.P.Thilak Kumar

Government Pleader



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For R-3

: Mr.L.Jeen Felix
for Mr.P.Sesu Balan Raja

ORDER

(Order of the Court was made by G.ARUL MURUGAN, J.)

The Writ Petition is filed seeking for a direction to the first and second respondents to remove the encroachment made by the third respondent in Survey No.167-42, Chellappan Pettai Village, Bhoothalur Taluk, Thanjavur District by considering the petitioner's representation dated 31.12.2018.

2. Heard the learned counsel for the petitioner, the learned Government Pleader for the first and second respondents and the learned counsel for the third respondent.

3. The petitioner had come up with the above Writ Petition contending that the third respondent had made an encroachment in the lands in Survey No.167-42.

4. Pursuant to the filing of the Writ Petition, the Tahsildar/second respondent herein had conducted a survey and filed a detailed counter affidavit, bringing to the notice of this Court that the land in Survey No.167-42 is a



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Natham Government Poromboke land. The land measuring an extent of 0.28.91

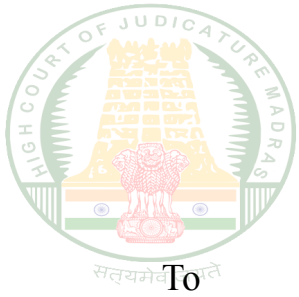
ares stands in the revenue records as vacant site and Nilaviyal Padhai. In the inspection conducted, it is found that the land, which is classified as Natham Government Poromboke, is a vacant site, which is in the possession and enjoyment of the villagers. There are no encroachments or obstructions in the pathway as claimed by the petitioner.

5. In view of the fact that there is no encroachment or any obstructions in the pathway and the lands are classified and standing in the revenue records as Natham Government Poromboke and a vacant site, wherein, Nilaviyal Padhai is in existence, the relief sought for in the Writ Petition cannot be sustained.

6. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (G.A.M.,J.)
12.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



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