



W.P.(MD) No.12398 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD) No.12398 of 2020

Selvaraj

... Petitioner

-VS-

1.The District Collector
Kanyakumari District
at Nagercoil-629 001

2.The Sub Collector
Padmanabhapuram
Thuckalay-Post-629 175
Kanyakumari District

3.Thasildhar (ADW)
Kalkulam Taluk
Padmanabhapuram
Thuckalay-Post-629 175
Kanyakumari District

4.The Execution Officer
Reethapuram Town Panchayat
Reathapuram-Post, Kalkulam Taluk
Kanyakumari District

5.Murugan

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 4 to remove the encroachment made in Kuruppanvilai S.C. Colony (Sasthankarai Colony), Reethapuram Town Panchayath, in Re-Survey No.276/14 of Colachel Revenue Village, Kalakulam Taluk, Kanyakumari District, by considering the representation dated 30.09.2019.

For Petitioner : Ms.J.Aswini
for Mr.V.H.S.Prathap

For Respondents : Mr.M.Sarangan
Additional Government Pleader for R1 to R4
No appearance for R5

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

With reference to the relief sought for in this writ petition, learned Additional Government Pleader appearing for the respondents 1 to 4 has produced a communication dated 25.07.2025 received from the Special Tahsildar, Adi Dravidar Welfare, Padmanabhapuram, Kanyakumari District, before this Court. Relevant portion of the said communication reads as under:

“In this regard, it is humbly submitted that the



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spot was visited and enquired with the residents, of this Adi-Draavidar welfare Colony by the Special Tahsildar (ADW), Padmanabhapuram on 25.07.2025 and the enquiry revealed the fact that there is no encroachment of the pathway road as well as in the public place as alleged in the petition. The Petitioner is the outsider of the Adi-Draavidar Welfare colony. He has filled the writ petition with an ulterior motive. He has no locus standi to file this petition.

Originally, the Adi-Draavidar Colony is situated in R.S.No.276/14 of Colachel village (now Reethapuram Village) of Kalkulam Taluk and the Petitioner's house is situated in R.S.No.284/12 of Colachel village of Kalkulam Taluk abutting the colony. There is no encroachment or obstruction within the road and in the public place as alleged in the petition. Concrete road has been formed in the pathway by the Town Panchayat. The alleged road and public place are absolutely belonging th the Adi-Draavidar department. The Individual has no right to claim the road as pathway.”

2. In view of the fact that there is no encroachment in the subject land, no further consideration is required in this writ petition and the same is,



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therefore, dismissed. No costs.

[S.M.S., J.] [A.D.M.C., J.]
25.07.2025

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

krk

To:

- 1.The District Collector,
Kanyakumari District,
at Nagercoil-629 001.
- 2.The Sub Collector,
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Thuckalay-Post-629 175,
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- 3.Thasildhar (ADW),
Kalkulam Taluk,
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