



W.P.(MD).No.5931 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.08.2025

CORAM

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

W.P.(MD).No.5931 of 2019

and

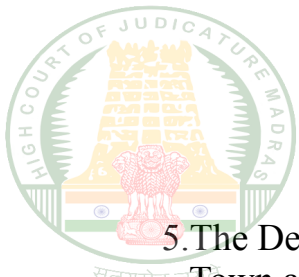
W.M.P.(MD).Nos.4756 of 2019, 1583 of 2020 & 3609 of 2021

A.S.Guru Ambeth

... Petitioner

Vs.

- 1.The District Collector,
Collector Office,
Madurai – 625 020.
- 2.The Tahsildar,
West Taluk Office,
Madurai West,
Virattipathu,
Madurai District.
- 3.The Block Development Officer,
Thiruparankunram Panchyath Union,
Thirunagar Office,
Madurai – 625 006.
- 4.Karadipatti Village Panchayat,
Represented by its Special Officer Cum
the Block Development Officer,
Karadipatti, Madurai District,
Madurai – 625 019.



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5. The Deputy Director,
Town and Country Planning Office,
No.4 Hakim Amakhan Road,
China Chokkikulam, Madurai – 625 002.

6. Punitha

7. Chinnapandi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents No.1 to 5 initiate appropriate legal proceedings against the encroachers including the respondents No.6 and 7 and to remove the encroachments made in the 30 feet road and Park which are situated in Survey Number:41/1, Vadivel Nagar, Karadipatti Village, Madurai West Taluk, Madurai District and retain the above said 30 feet road and park as per the approved plan by the 5th respondent Office on 18.03.1983 vide office proceedings in Ma.Va.Ma.(Ma.Ma.) No:41/83 within a stipulated time that may be fixed by this Court.

For Petitioner	: Mr.R.Karunanidhi
For R-1 to R-5	: Mr.P.Thilak Kumar
	Government Pleader
For R-6	: M/s.P.Krishnaveni
For R-7	: No appearance

ORDER

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

The Writ Petition is filed seeking for a Mandamus to direct the respondents 1 to 5 to initiate appropriate legal proceedings against the

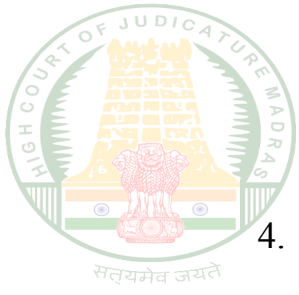


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respondents 6 and 7, contending that there has been encroachment in Survey No.41/1 of Vadivel Nagar, Karadipatti Village, Madurai West Taluk, Madurai District.

2. It is brought to the notice of this Court that the land, in respect of which the relief is sought for in the Writ Petition pertaining to Survey No.41/1, is a private patta land. The learned Government Pleader appearing for the respondents 1 to 5 has submitted the copies of the 'A' Register and the revenue extract, from which, it could be seen that the land in Survey No.41/1 is a private patta land standing in the name of Vadivel Gounder and four other persons. Further, it is also brought to the notice of this Court that a civil suit had been filed for a similar relief against the sixth respondent in O.S.No.282 of 2018, wherein, after trial, the Trial Court, by a judgment and decree dated 07.07.2025, has dismissed the suit.

3. In view of the fact that the land in Survey No.41/1 is a private patta land and further, the civil suit initiated for a similar relief had already been dismissed, the relief sought for in the Writ Petition cannot be entertained.



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4. Accordingly, the Writ Petition stands dismissed. There shall be no

order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S.,J.) (G.A.M.,J.)
11.08.2025

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

To

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Virattipathu,
Madurai District.

3.The Block Development Officer,
Thiruparankunram Panchyath Union,
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4.The Special Officer Cum
the Block Development Officer,
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Karadipatti, Madurai District,
Madurai – 625 019.



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5. The Deputy Director,
Town and Country Planning Office,
No.4 Hakim Amakhan Road,
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