



W.P(MD)No.13800 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.13800 of 2025

S.Suruliraja

... Petitioner

Vs

1. The District Collector,
Office of the District Collector,
Theni District.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Periyakulam Division,
Theni District.
3. The Tahsildar,
Andipatti Taluk Office,
Theni District.
4. The Panchayat Union CommissiOner,
Kadamalaikundu-Mayiladumparai Panchayat Union Office,
Theni District.
5. The Panchayat Board Special Officer,
Panchayat Board Office,
Manthisunai-Moolakkadai Panjayath,
Theni District.
6. The Village Administrative officer,
Kadamalaikundu Village,
Theni District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the 1st and 2nd respondents to direct to 3 to 6 respondents not to prevent the petitioner and his family members from entering their property and not to prevent the petitioner and his family members from cleaning or using or build a house on their property and not to interfere the petitioner and his family members peaceful possession and enjoyment of their property comprising in Natham Survey No.861, present Survey No.1641/1 an extents of 3600 Sq.Feet situated at Moolakadai Village, Kadamalaikundu, Andipatti Taluk, Theni District on the basis of the petitioner representation dated 08.04.2025.

For Petitioner : Mr.Shakul Hameed

For R1to R3 & R6 : Mr.M.Senthil Ayyanar
Government Advocate

For R4 & R5 : Mr.S.Kameshwaran
Government Advocate

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to consider the petitioner's representation dated 08.04.2025.

2. On instructions, the learned Government Advocate appearing for respondents 4 and 5 submitted that the petitioner owns 3 cents of land. However, there is a road located opposite the said land. The petitioner is intending to construct a building by encroaching upon the road portion as well. Therefore,



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permission cannot be granted to construct by covering the road. This submission is also confirmed by the learned Government Advocate appearing for respondents 1 to 3 and 6. Hence, the said prayer cannot be entertained.

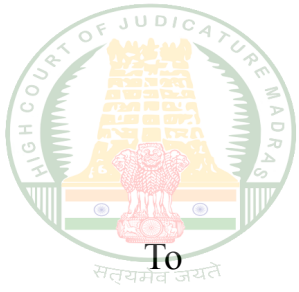
3. In view of the aforesaid submission, it is made clear that the petitioner is entitled to only 3 cents of land and is permitted to construct only within the said 3 cents of land, and not beyond it.

4. Accordingly, this writ petition stands dismissed. There shall be no order as to costs.

23.06.2025

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

Ksa



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To

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S.SRIMATHY, J.

Ksa

**ORDER MADE IN
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