



W.P(MD)No.14286 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2025

CORAM:

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

**W.P(MD)No.14286 of 2025
and
W.M.P(MD)No.10510 of 2025**

B.Manikandan

... Petitioner

vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Revenue Divisional Officer/Monitoring Committee,
Madurai North Taluk,
Madurai District.
- 3.The Tahsildar,
Madurai North Taluk,
Madurai District.
- 4.Executive Officer,
Paravai Special Municipality,
Paravai, Madurai District.



W.P(MD)No.14286 of 2025

WEB COPY

5.The Executive Engineer,
National Highways Department,
Construction and Maintenance,
Dindigul – Madurai National Highway,
Chinna Chokkikulam,
Madurai.

6.The Inspector of Police,
Samyanallur Police Station,
Madurai District.

7.Thamarai Selvi

8.Ashok

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 6 to remove the encroachment made by the respondents 7 and 8 by illegal construction of the water service shop and ramp upon the Dindigul-Madurai National Highway Road, at UDR S.No.158/4 situated bearing Door No. 207/4, Bhagavathi Motors, Dindigul-Madurai Main Road, Near M.S.Mahal Building Paravai, Madurai District by considering the petitioner's representation dated 08.05.2025.



W.P(MD)No.14286 of 2025

WEB COPY

For Petitioner : Mr.A.S.Krishnan

For RR 1 to 5 : Mr.S.P.Maharajan
Special Government Pleader

For R – 6 : Mr.T.Senthilkumar
Additional Public Prosecutor

For R – 7 : Not ready in notice

For R – 8 : Mr.P.Venkatasubramanian

ORDER

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

Heard the learned counsel appearing for the petitioner, Mr.S.P.Maharajan, learned Special Government Pleader appearing for the respondents 1 to 5, Mr.T.Senthilkumar, learned Additional Public Prosecutor appearing for the sixth respondent and Mr.P.Venkatasubramanian, learned counsel appearing for the eighth respondent.



W.P(MD)No.14286 of 2025

WEB COPY

2.The Writ Petition is filed seeking for a direction to the respondents 1 to 6 to remove the encroachments made by the respondents 7 and 8 in the subject property.

3.Pursuant to the filing of the Writ Petition, an inspection was conducted and based on the inspection report, a status report has been filed by the Tahsildar/the third respondent.

4.In the inspection conducted, it was found that the respondents 7 and 8 had illegally encroached upon the National Highways Road from Dindigul to Madurai Road and the stream (Odai) in S.F.No.155, Paravai 2nd Bit Village and S.F.No.92, Paravai 1st Bit Village. The respondents 7 and 8 had illegally constructed a concrete setup for cleaning four-wheeler vehicles (water wash) and a tin roof. It has also been reported that the respondents 7 and 8 have encroached upon the Government land. The nature of the encroachment has also been reported as under:



W.P(MD)No.14286 of 2025

WEB COPY

“5.I humbly submit that the present writ petition came for hearing on 04.08.2025 before this Hon'ble Court and this Hon'ble Court directed me to conduct the field inspection and to file a status report. Further, as per the direction issued by this Hon'ble Court to submit the report on 09.08.2025, I conducted to the inspection and during the inspection The Koolapandi Zone Deputy Tahsildar, Village Administrative Officer and Surveyor were present. While, on inspection I came to know that the Respondent Nos.7 and 8 had illegally encroached upon the National Highways road from Dindigul to Madurai Road and Stream (Odai) in SF.No. 155, Paravai 2nd Bit Village and S.F.No.92, Paravai 1st Bit Village, Madurai North Circle, Madurai District and the 7th and 8th respondents had illegally constructed concrete setup for cleaning Four Wheeler Vehicles water wash and Tin Roof (Triangle Design) and Advertisement Iron Board, Further, the respondents 7 and 8 had encroached the government land which is violation as per law. Further, the encroachment details are shown below:-



W.P(MD)No.14286 of 2025

WEB COPY

S. No.	Village and Survey no.	Classification	Total area (hectare)	Encroachment Area (hectare)	Encroacher's name	Nature of Encroachment
1.	Paravai – 2 Bit SR.No.155	Government Poramboke land Stream (Odai)	0.36.50	0.01.00	Thamaraiselvi (7 th respondent in the case and Ashok 8 th respondent in the case) the land was used by the 8 th respondent and he got lease from the 7 th respondent.	1.Concrete setup for cleaning Four Wheeler Vehicles water wash. 2.Large scale advertisement iron board. 3.Iron door at the entrance. 4.Fencing around the land.
2.					Kamachiamman kovil administration	Temple advertisement board & Entrance.



WEB COPY

3.	Paravai – 1 Bit SF.No.92	National Highways Maintenance by the State Highways Department	0.26.00	0.00.78	Thamaraiselvi (7 th respondent in the case and Ashok 8 th respondent in the case) the land was used by the 8 th respondent and he got lease from the 7 th respondent.	1. Concrete setup for cleaning Four Wheeler Vehicles water wash. 2. Tin Roof (Triangle Design)
----	--------------------------------	---	---------	---------	---	--

6.I humbly submit that the above encroachments were found during the survey in the government lands classified as Odai and Madurai-Dindigul National Highway, as per the above said tabular column measuring the said SF.No.204/l and its UDR SF.No. 155 situated at Paravai Bit-2 Village, Madurai North Taluk, Madurai and further; SF.No.195/0 and its UDR.No.92 situated at Paravai Bit-1 Village, Madurai North Taluk, Madurai are encroached by the 7th and 8th respondents. Further, Form-1 has been submitted to the concerned departments, namely the Water Resources Department and the National Highways Department, to remove the above encroachments by following the appropriate procedures. Further, I have enclosed the copy of the Village Account and Survey Map which shows that the 7th and 8th respondent had encroached upon the above mentioned Survey Numbers.”



W.P(MD)No.14286 of 2025

WEB COPY

5.In view of the detailed status report filed pursuant to the inspection conducted and on finding that the respondents 7 and 8 had made encroachment in the Government land, the Tahsildar, Madurai North Circle, had already addressed the issue of encroachment to the competent authorities ie., the Highways Authority and the Water Resources Organization.

6.It has also been brought to the notice of this Court that pursuant to the intimation given to the Highways Department regarding the encroachment, the Highways Department has already initiated proceedings by issuing appropriate notices to the encroachers. However, the Water Resources Organization is yet to initiate proceedings based on the report submitted.

7.Since the Water Resources Organization is not a party to this Writ Petition, the third respondent/the Tahsildar is directed to communicate and intimate the orders of this Court to the said Water Resources



W.P(MD)No.14286 of 2025

WEB COPY

Organization seeking to initiate appropriate proceedings to remove the encroachments by following the procedures as contemplated under the relevant provisions of the Act and Rules.

8. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[S.M.S.,J.] & [G.A.M.,J.]
18.08.2025

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



W.P(MD)No.14286 of 2025

WEB COPY

To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Revenue Divisional Officer/Monitoring Committee,
Madurai North Taluk,
Madurai District.
- 3.The Tahsildar,
Madurai North Taluk,
Madurai District.
- 4.Executive Officer,
Paravai Special Municipality,
Paravai, Madurai District.
- 5.The Executive Engineer,
National Highways Department,
Construction and Maintenance,
Dindigul – Madurai National Highway,
Chinna Chokkikulam,
Madurai.
- 6.The Inspector of Police,
Samyanallur Police Station,
Madurai District.

10/11



WEB COPY



W.P(MD)No.14286 of 2025

S.M.SUBRAMANIAM, J.
and
G.ARUL MURUGAN, J.

ps

ORDER MADE IN
W.P(MD)No.14286 of 2025

DATED : 18.08.2025

11/11