



W.P(MD)No.14536 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2025

CORAM:

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

W.P(MD)No.14536 of 2025

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... Petitioner

VS.

- 1.The District Collector,
Viruthunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
Sivakasi Division,
Sivakasi,
Virudhunagar District.
- 3.The Tashildar,
Sivakasi Taluk,
Sivakasi,
Virudhunagar District.
- 4.The Taluk Surveyor,
Sivakasi Taluk,
Sivakasi, Virudhunaggar District.



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- 5.The Village Administrative Officer,
Thachakudi Village,
Sivakasi Taluk,
Sivakasi District.
- 6.The Additional Director of Panchayat,
Sivakasi Panchayath Union,
Sivakasi,
Virudhunagar District.
- 7.The Block Development Officer,
Sivakasi Block,
Sivakasi,
Virudhunagar District.
- 8.The Secretary,
P.A.357, Mangalam Primary Agricultural
Co-opertive Society,
Mangalam Village,
Arukkampatti Post,
Sivakasi Taluk,
Virudhunagar District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the respondents from opening the unauthorized construction of new fair price shop in the petitioner's patta land in S.No.147/3A to the extent of 23 cents eastern side out of 46 cents situating at Thachakudi Village, Sivakasi Taluk, Virudhunagar District in virtue of the sale deed in Doc.No.1754 of 2020 on the file of the SRO, Kunnur dated 07.09.2020.

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For Petitioner : Mr.S.Selvakumar
For RR 1 to 7 : Mr.P.Thilak Kumar
Government Pleader
For R – 8 : Not ready in notice

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The Writ Petition has been instituted to forbear the respondents from opening the unauthorized construction of new fair price shop in the petitioner's patta land in S.No.147/3A to the extent of 23 cents on the eastern side out of a total of 46 cents situated at Thachakudi Village, Sivakasi Taluk, Virudhunagar District, by virtue of the sale deed in Doc.No.1754 of 2020 on the file of the SRO, Kunnur dated 07.09.2020.

2.The learned counsel appearing for the petitioner mainly contended that the respondents have constructed fair price shop in the patta land belonging to the petitioner. Therefore, the construction is illegal and the Writ Petition is to be considered.

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3.The learned Government Pleader appearing for the respondents 1 to 7 submitted that the petitioner's grandfather had sold 6 cents of lands to the Government in the year 1992 for valid sale consideration. A copy of the sale deed has been produced before this Court. Subsequently, the land was sub-divided and the portion of the land sold in favour of the Government is situate in Survey No.147/3B. It is further submitted that no construction has been made in Survey No.147/3A and therefore, the Writ Petition is misconceived.

4.The relief sought for in the Writ Petition itself reveals that the petitioner seeks an injunction not to put up any construction in Survey No.147/3A. Since it has been clarified by the Government that the construction of fair price shop is being carried out only in Survey No.147/3B, no further adjudication needs to be undertaken.



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5. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

[S.M.S.,J.] & [A.D.M.C.,J.]
04.08.2025

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

1. The District Collector,
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ORDER MADE IN
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