



W.P(MD)No.17431 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2025

CORAM:

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

W.P(MD)No.17431 of 2020

Valarmathy

... Petitioner

Vs.

1.The District Collector,
Collectorate, Theni District.

2.The Revenue Divisional Officer,
Uthamapalayam, Theni District.

3.The Tahsildar,
Uthamapalayam Taluk,
Theni District.

4.The Commissioner,
Cumbum Municipality, Cumbum,
Uthamapalayam Taluk, Theni District.

5.P.Ayyavu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct respondents No.1 to 3 to remove the encroachment made by the 5th respondent in the Public Pathway in T.S.No.48 at Ward No.2, Swamy Vivekanandar Street, Uthamapuram, Cumbum-625 516, Uthamapalayam Taluk, Theni District based on the petitioner's representation dated 13.10.2020



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For Petitioner : Mr.R.Selvaraj
For RR1 to 3 : Mr.P.Thilakkumar
Government Pleader
For R4 : Mr.K.Hemakarhtikeyana
Respondent-5 : Not ready in notice

ORDER

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

The writ on hand has been instituted to direct respondents No.1 to 3 to remove the encroachment made by the fifth respondent in the Public Pathway in T.S.No.48 at Ward No.2, Swamy Vivekanandar Street, Uthamapuram, Cumbum-625 516, Uthamapalayam Taluk, Theni District.

2. The learned Government Pleader appearing on behalf of respondents 1 to 3, based on the Town Survey Register, would submit that the subject property is a patta land and therefore, question of removal of encroachment would not arise at all.

3. Since the subject property is a patta land, the relief as such sought for by the petitioner to remove the encroachment cannot be



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granted. Accordingly, this Writ Petition stands dismissed. However, there shall be no order as to costs.

J.]

[S.M.S., J.]

[A.D.M.C.,

29.07.2025

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

abr

To

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Uthamapalayam Taluk,
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DR.A.D.MARIA CLETE, J.

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