



1

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2025

CORAM
THE HONOURABLE DR.JUSTICE ANITA SUMANTH
AND
THE HONOURABLE MR. JUSTICE C. KUMARAPPAN

Writ Petition No.20256 of 2025
and
W.M.P(MD)No.15639 of 2025

N.Kalimuthu

... Petitioner

..Vs..

1.The District Collector,
Ramanathapuram District,
Collectorate, Ramanathapuram.

2.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

3.The Tahsildar,
Mudukulathur Taluk Office,
Mudukulathur Post,
Ramanathapuram District.

4.The Block Development Officer,
Mudukulathur Panchayat Union,
Mudukulathur Post,
Ramanathapuram District.

5.The Inspector of Police,
Mudukulathur,
Ramanathapuram District.

6.Mr.Ramamoorthy

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents 1 to 5 to remove the obstruction and other encroached constructions made by the 6th respondent and his family in the Government Public Pathway more particularly in and around of the Survey No.580/28 situated in Aathikulam Village, Keeranur Post, Mudukulathur Taluk, Ramanathapuram District, within a stipulated time may be fixed by this Court.

For Petitioner : Mr.M.Saravanakumar
For R1 to R4 : Mr.P.Thilakkumar,
Government Pleader
For R5 : Mr.T.Senthilkumar
Additional Government Pleader

ORDER

(Order of the Court was made by C.KUMARAPPAN,J.)

This Writ Petition has been filed for the issuance of a writ of Mandamus, directing the respondents 1 to 5 to remove the obstruction and other encroached constructions made by the 6th respondent and his family in the Government Public Pathway, more particularly in and around the Survey No.580/28 situated in Aathikulam Village, Keeranur Post, Mudukulathur Taluk, Ramanathapuram District,



WEB COPY

2.Heard Mr.M.Saravanakumar, learned counsel appearing for the petitioner, Mr.P.Thilakkumar, Government Pleader appearing for R1 to R4, the learned Government Pleader and Mr.T.Senthilkumar, learned Additional Public Prosecutor appearing for the fifth respondent.

3.The learned counsel for the petitioner would submit that the petitioner and his brother owns a land in Survey Nos.580/32 and 580/33 in Aathikulam Village. It is his further submission that they have also been issued with patta and constructed a house thereon about 5 decades back. It is the further submission that the sixth respondent is encroaching upon the public pathway in Survey No.580/28, which, according to the petitioner, classified as a Government poramboke. Hence, he come up with the present writ petition for removal of encroachment.

4.The said contention was stoutly objected by the learned Government Pleader. He would invite the attention of this Court about the order in W.P(MD)No.20256 of 2025 dated 24.07.2025 in and by which, the third respondent viz., the Tahsildar was directed to conduct a field inspection and to submit a Status Report before this Court. It is the submission of the learned Government Pleader that in pursuance of the



above direction, the third respondent has conducted a field inspection and according to the field inspection, the Survey No.580/28 is classified as Natham House Site. Hence, he would contend that the very writ petition is not maintainable.

5.We have given our anxious consideration on either side submission.

6.The main grievance of the petitioner relates to Survey No.580/28 in Aathikulam Village. According to the petitioner, it is the Government Poramboke and a passage. Though he has submitted certain revenue records after the inspection, the third respondent Tahsildar has come up with definite stand that the Survey No.580/28 is classified as Natham House Site. For ready reference, this Court deems it appropriate to extract the relevant portion of the Status Report of the third respondent as hereunder:

“4.I respectfully submit that, further, inspection of the site was conducted by me along with the Zonal Deputy Revenue Inspector on 09.08.2025 and it revealed that the land in S.No.580/28 of an extent of 0.0450 sq.mt is classified as Natham House site in the revenue records. North or which the 6th respondent is constructing a house. In the middle portion one Veeramakali had constructed a



concrete house. In the Eastern of which the petitioner and his brother had constructed tiled house.

5.I respectfully submit that, the said Veeramakali and the 6th respondent herein have let 2.5 ft each for the pathway to the house of the petitioner and his brother. Further, the petitioner and his brother have been instructed to use the 10 ft pathway for their use and the same is classified as Natham puramboke.

6.I respectfully submit that as per the revenue records there is no encroachment as alleged by the petitioner and still there is alternative pathway available for the houses of the petitioner and his brother. I crave leave of this Hon'ble Court to consider the report as part and parcel of this Status Report and thus render justice.”

7.In view of the above Status Report, it is amply clear that the apprehension raised by the petitioner is contrary to the factual position. In view of the Status Report, we do not find any merits in the present writ petition. Hence, recording the Status Report of the third respondent, the present Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[A.S.M.J.] & [C.K.J.]
22.10.2025

Index::Yes/No
Ncc:Yes/No
Ns



WEB COPY



6

DR.ANITA SUMANTH,J.
AND
C.KUMARAPPAN,J.
Ns

To

- 1.The District Collector,
Ramanathapuram District,
Collectorate, Ramanathapuram.
- 2.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.
- 3.The Tahsildar,
Mudukulathur Taluk Office,
Mudukulathur Post,
Ramanathapuram District.
- 4.The Block Development Officer,
Mudukulathur Panchayat Union,
Mudukulathur Post,
Ramanathapuram District.
- 5.The Inspector of Police,
Mudukulathur,
Ramanathapuram District.

Order made in
Writ Petition No.20256 of 2025
and
W.M.P(MD)No.15639 of 2025

22.10.2025