



W.P.(MD)No.22780 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.22780 of 2025

and

W.M.P.(MD)No.17854 of 2025

- 1.Rajendran
- 2.Ramasamy
- 3.Annakili
- 4.Pathrakali

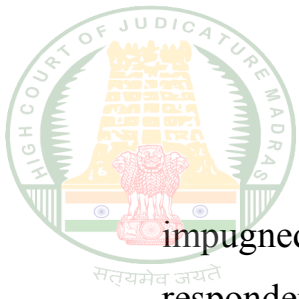
... Petitioners

-Vs-

- 1.The District Collector,
Office of the District Collector,
Kanyakumari, Kanyakumari District.
- 2.The Tahsildar,
Office of the Tahsildar,
Kalkulam Taluk, Kanyakumari District.
- 3.The Executive Officer,
Villukuri Town Panchayat,
Kalkulam Taluk, Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the



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impugned order in Na.Ka.No.286/2018/A1, dated 11.08.2025 on the file of the 3rd respondent and quash the same as illegal and consequently, to direct the respondents to provide alternative land to the petitioners by the way of considering their representation dated 11.08.2025 in accordance with law within the time stipulated by this Court.

For Petitioners : Mr.R.Venkatesan

For R1 & R2 : Mr.J.Ashok,
Additional Government Pleader

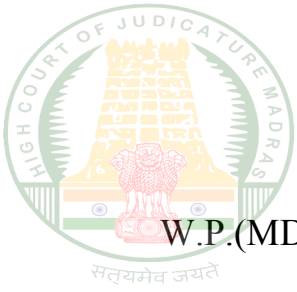
For R3 : Mr.V.OM.Prakash,
Government Advocate

ORDER

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

The final notice to conclude the enforcement action issued in proceedings dated 11.08.2025 is sought to be assailed in the present Writ proceedings.

2.The authorities competent during survey identified the encroachments in Government poramboke land. Enforcement actions are initiated pursuant to the directions twice issued by this Court vide order dated 27.11.2023 in



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W.P.(MD)No.22640 of 2018 and vide order dated 19.02.2025 in

W.P.(MD)No.4562 of 2025. Opportunities were afforded to the petitioners to establish their defence. Since the petitioners have not produced any documents to establish their right, final notice was issued for removal of the encroachment. When the authorities competent have taken steps to remove the encroachment, the petitioners have made a promise voluntarily that they will vacate the premises within a period of 30 days by identifying the alternative place. However, they have violated their own undertaking and thus, final notice was issued.

3.The learned counsel appearing for the petitioners would submit that alternative land is to be provided to the petitioners.

4.Alternative land is to be provided by verifying eligibility of the petitioners under the Government Welfare Schemes. Free house site patta cannot be claimed as a matter of right. It is to be granted, only if the petitioners are eligible and any such scheme is in force, but not otherwise. In the present case, the petitioners themselves have given an undertaking to vacate the encroached Government land, however, they have not complied with the same.



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5.That being the factum, the petitioners are not entitled for any relief from the hands of this Court. The authorities competent are directed to conclude the enforcement action by vacating the encroachers from the Government land.

6.With these observations, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (G.A.M., J.)
20.08.2025
(2/2)

NCC : Yes / No
Index : Yes / No

Yuva

To

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