



W.P.(MD)No.24402 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2025

CORAM:

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

W.P.(MD)No.24402 of 2025
and
W.M.P.(MD)No.19153 of 2025

S.Sahayaraj

... Petitioner

/Vs./

1. The Secretary to Government,
Municipal Administration,
Water Supply Department,
Chepauk, Chennai.
2. The District Collector,
Ramnad.
3. The Commissioner,
Rameshwaram Municipality,
Rameshwaram,
Ramnad District.
4. The Executive Officer,
Rameshwaram Municipality,
Rameshwaram,
Ramnad District.



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5. The Thasildar,
Rameshwaram Taluk,
Ramnad District.

6. K.M.Sigamani

... Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the third respondent in his proceeding bearing Na.Ka. No.916/A4/2021 dated 25.08.2025 and quash the same with the further direction and directing the 5th respondent to issue patta to the petitioner.

For Petitioner : Ms.K.Porkodi
for M/s.Polax Legal Solution
For Respondents : Mr.D.Sadiq Raja (R1, R2 & R5)
Additional Government Pleader
Mr.K.Saravanan (R3 & R4)
Standing Counsel

ORDER

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

Since no order adverse to R6 is proposed to be passed in this writ petition, notice to R6 stands dispensed with.



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2. The present writ petition is the third round of litigation. The very same petitioner along with others had filed WP(MD)Nos.9778 to 9789 of 2023, challenging an order dated 18.04.2023 passed by the Commissioner, Rameshwaram Municipality and seeking a direction to the fifth respondent, the Tahsildar, Rameshwaram Taluk, to issue patta to the petitioners in respect of the property at S.Nos.632 and 633, Kamaraj Nagar, Rameshwaram Municipality ('property' / 'property in question'), classified as cart track in the revenue records.

3. Vide order dated 28.07.2025 in WP(MD)Nos.9778 to 9789 of 2023, there is a categorical finding at para 3 to the effect that property in question is a cart track, which is in public usage and that have been identified therein. Since no material had been produced by the petitioners to militate against the factual findings that they were encroaching upon the cart track. The impugned order was confirmed directing the authorities to continue the action and remove the encroachments within a period of twelve weeks from date of receipt of a copy of that order.

4. According to the petitioner, there are errors in that order, as



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against which a review petition has been filed. In such circumstances, it is for the petitioner to pursue that review petition, instead of which the petitioner has filed the present writ petition seeking the same relief as sought for in WP(MD)No.15665 of 2021 and WP(MD)No.9778 of 2023.

5. We are of the categorical view that the present writ petition is nothing but an abuse of process of Court and is vexatious, since the same cause of action is being reiterated time and again, inspite a categorical finding of this Court to the effect that the petitioners are encroachers. This writ petition is hence dismissed with costs of Rs.10,000/- (Rupees Ten Thousand only) payable to the High Court Legal Services Committee attached to this Bench within a week from date of receipt of this order. Consequently, connected miscellaneous petition is closed.

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

09.09.2025

(12/12)

NCC :Yes/No

Index :Yes/No

Internet :Yes

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AND
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Order made in
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(12/12)

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